

RECORD COPY
File Name ADM-1-1-1 EPC Meeting
Feb. 1991
JY.

MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA
FEBRUARY 18, 1991

Meeting convenes at 10:00 a.m., February 18, 1991 in the fourth floor conference room.

Public Participation	10:30 a.m.
Niklos Anderson/Far-Mor Feeder Pigs (A.G. Referral)	11:30 a.m.
<u>Appointments:</u>	
Bruening Rock Products, Inc. (A.G. Referral)	1:00 p.m.
Fred Carlson Co., Inc. (A.G. Referral)	1:30 p.m.
American Pelltizing Corp. (AMPEL) (A.G. Referral)	2:00 p.m.
Break	3:30 p.m.

1. Approve Agenda.
2. Approve Minutes of January 22, 1991.
3. Director's Report. (Wilson) Information.
4. Financial Status Report. (Kuhn) Information.
5. Landfill Alternatives Grant Applications. (Hay) Information.
6. Monthly Reports. (Stokes) Information.
7. Notice of Intended Action--Chapter 66, Aquatic Pesticide Prohibited Discharges. (Stokes) Decision.
8. Water Quality Standards - Use Designations: Phase III Economic Assessment. (Stokes) Decision.
9. Notice of Intended Action--Chapter 102, Landfill Operator Certification Rules Amendment. (Stokes) Decision.
10. Referrals to the Attorney General. (Combs) Decision.
 - (a) Fred Carlson Co., Inc. (Decorah)
 - (b) American Pellitizing Corp. (AMPEL) (Knoxville)
 - (c) Nicklos Anderson/Far-Mor Feeder Pigs (Henry County)
 - (d) Bruening Rock Products, Inc. (Decorah)
 - (e) City of Lenox, and Heartland Food Products
 - (f) Don Ervin (Otho)
 - (g) Roy Long (Knoxville)
11. General Discussion Items.
12. Address Items for Next Meeting.

NEXT MEETING DATES

March 18-19, 1991
April 15-16, 1991
May 20-21, 1991

ENVIRONMENTAL PROTECTION COMMISSION

Monday, February 18, 1991

NAME

COMPANY OR AGENCY

CITY

CYNTHIA HUBERT

DM REGISAR

DON ERVIN

MIDWEST RESEARCH

FT Dodge IA

Marilyn Halterman

Carlisle

DAVE VEST

GROWMARK, INC.

BLOOMINGTON, IL

Danell Weeks

Low Farm Bureau

W.D.M.

Joe Coleman

Atty

FT. Dodge

Nicholas Anderson

Farmer

C2 do-Fells

Donald Reckman

Atty

C2 do-Fells

Keith B. Bruening

Bruening Rock Prod, Inc.

Decatur, IL

DAN FRITZBERG

ITCA

Atty MONTGOMERY

ROD BODT

CR Gjetter

ERIC WOOLSON

WATERLOO COUNCIL

Bob Rasmus

Radio Town

Keith Cherryholmes

Hyp. Lab

Decorah City

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Senders Initials Feb. 1991 JG.

Minutes of the Environmental Protection Commission Meeting

February 18, 1991

Wallace State Office Building, Des Moines, Iowa

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FEBRUARY 1991 COMMISSION MEETING

The meeting of the Environmental Protection Commission was held in the Wallace State Office Building, Des Moines, Iowa, convening at 10:00 a.m. on February 18, 1991.

MEMBERS PRESENT

Mike Earley, William Ehm, Richard Hartsuck, Charlotte Mohr, Nancy Lee Siebenmann, and Clark Yeager.

MEMBERS ABSENT

Rozanne King, Margaret Prah, and Gary Priebe

Chairperson Mohr announced that Margaret Prah and Rozanne King will not be able to attend the meeting due to bad weather, and Gary Priebe is on vacation.

ADOPTION OF AGENDA

The following appointment was added to the agenda:

Niklos Anderson/Far-Mor Feeder Pigs - 11:30 a.m.

The appointment for Fred Carlson Co., Inc. was deleted.

Motion was made by Richard Hartsuck to approve the agenda as amended. Seconded by Nancy Lee Siebenmann. Motion carried unanimously.

ADOPTION OF MINUTES

Motion was made by Mike Earley to approve the minutes of January 22, 1991 as presented. Seconded by Richard Hartsuck. Motion carried unanimously.

DIRECTOR'S REPORT

Director Larry Wilson reported that pursuant to the Commissioners wishes to tour the Big Spring area, the June meeting will be held at the Osborne Center in Clayton County. He also reported that the bill to discuss reorganization of the DNR will be discussed in the legislature today. Mr. Wilson noted that Stan Kuhn will explain effects the budget cuts proposed by the House and Senate will have on the Environmental Protection Division.

FINANCIAL STATUS REPORT

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached are the division monthly Financial Status reports, year-to-date, as of the end of January. Most areas appear to be under budget. Areas of concern include the Office Supply area in the Administrative Services Division and operations in the Parks, Preserves and Recreation division.

The current budget in the status report reflects the official budget as approved last year by the General Assembly. The various proposals relating to budget reductions are not reflected in this report. Staff is working on the impact of various budget reduction proposals, and information regarding these reduction proposals will be available at the meeting.

(Reports are shown on the following 3 pages)

IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 01/31/91

	TOTAL EXPENDITURES 01/01/91 - 01/31/91	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
1000 DIRECTOR'S OFFICE					
101 PERSONAL SERVICES	17,171.17	126,565.22	157,134.00	30,568.78-	269,374.00
202 PERSONAL TRAVEL	3,636.81	17,241.83	23,333.00	6,091.17-	40,000.00
301 OFFICE SUPPLIES	317.57	486.98	1,166.00	679.02-	2,000.00
303 EQUIPMENT MAINTENANCE SUP	117.50	292.28	437.00	144.72-	750.00
308 OTHER SUPPLIES	5.79	8.98	700.00	691.02-	1,200.00
309 PRINTING & BINDING	450.45	8,899.00	8,166.00	733.00	14,000.00
410 DATA PROCESSING	329.10	938.20	2,800.00	1,861.80-	4,800.00
414 REIMBURSEMENTS TO OTHER A	0.00	144.78	437.00	292.22-	750.00
DIVISION TOTAL	22,028.39	154,577.27	194,173.00	39,595.73-	332,874.00

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2000 COORDINATION AND INFORMATION					
101 PERSONAL SERVICES	121,412.16	885,623.15	926,733.00	41,109.85-	1,588,693.00
202 PERSONAL TRAVEL	1,432.22	14,668.12	33,422.00	18,753.88-	57,300.00
203 STATE VEHICLE OPERATION	645.32	5,388.96	6,594.00	1,205.04-	11,306.00
204 STATE VEHICLE DEPRECIATIO	1,245.00	8,715.00	10,033.00	1,318.00-	17,200.00
301 OFFICE SUPPLIES	5,254.80	30,222.49	48,123.00	17,900.51-	82,500.00
302 FACILITY MAINTENANCE SUPP	855.47	9,528.12	13,999.00	4,470.88-	24,000.00
303 EQUIPMENT MAINTENANCE SUP	1,450.13	6,766.70	7,000.00	233.30-	12,000.00
304 PROF. & SCIENTIFIC SUPPL	0.00	10,566.97	11,666.00	1,099.03-	20,000.00
307 AG., CONSERVATION & HORT S	0.00	351.52	291.00	60.52	500.00
308 OTHER SUPPLIES	4,108.34	33,055.30	21,640.00	11,415.30	37,100.00
309 PRINTING & BINDING	26,104.08	262,888.90	232,135.00	30,753.90	397,950.00
312 UNIFORMS & RELATED ITEMS	92.61	122.37	1,311.00	1,188.63-	2,250.00
401 COMMUNICATIONS	225.57	6,775.89	7,000.00	224.11-	12,000.00
402 RENTALS	56.21	1,088.55	495.00	593.55	850.00
403 UTILITIES	1,410.89	15,377.98	17,353.00	1,975.02-	29,750.00
405 PROF & SCIENTIFIC SERVICE	0.00	12,217.96	52,500.00	40,282.04-	90,000.00
406 OUTSIDE SERVICES	3,885.46	36,151.45	48,561.00	12,409.55-	83,250.00
410 DATA PROCESSING	2,500.30	6,408.48	14,672.00	8,263.52-	25,152.00
414 REIMBURSEMENTS TO OTHER A	909.00	2,253.41	2,916.00	662.59-	5,000.00
501 EQUIPMENT	6,132.40	22,472.28	27,445.00	4,972.72-	47,050.00
DIVISION TOTAL	177,719.96	1,370,643.60	1,483,889.00	113,245.40-	2,543,851.00

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3000 ADMINISTRATIVE SERVICES DIV.					
101 PERSONAL SERVICES	302,663.83	2,302,104.20	2,403,159.00	101,054.80-	4,119,712.00
202 PERSONAL TRAVEL	3,477.44	26,153.88	35,200.00	9,046.12-	60,350.00
203 STATE VEHICLE OPERATION	4,906.10	30,962.10	35,291.00	4,328.90-	60,500.00
204 STATE VEHICLE DEPRECIATIO	5,460.00	38,319.84	42,291.00	3,971.16-	72,500.00
301 OFFICE SUPPLIES	25,931.39	257,514.96	202,029.00	55,485.96	346,340.00
302 FACILITY MAINTENANCE SUPP	0.99	142.67	991.00	848.33-	1,700.00
303 EQUIPMENT MAINTENANCE SUP	3,500.05	24,871.71	29,166.00	4,294.29-	50,000.00
308 OTHER SUPPLIES	382.93	2,993.05	9,034.00	6,040.95-	15,490.00
309 PRINTING & BINDING	366.35	5,600.80	21,391.00	15,790.20-	36,675.00
312 UNIFORMS & RELATED ITEMS	0.00	43.82	1,750.00	1,706.18-	3,000.00
401 COMMUNICATIONS	46.29	87,433.75	136,673.00	49,239.25-	234,300.00
402 RENTALS	0.00	183.80	291.00	107.20-	500.00
406 OUTSIDE SERVICES	8,518.85	26,272.02	34,006.00	7,733.98-	58,300.00
410 DATA PROCESSING	17,691.20-	59,826.42	71,573.00	11,746.58-	122,700.00
412 AUDITOR OF STATE REIMBURS	32,842.00	81,398.00	46,666.00	34,732.00	80,000.00
414 REIMBURSEMENTS TO OTHER A	6,010.17	19,103.45	7,961.00	11,142.45	13,650.00
501 EQUIPMENT	8,148.47	85,665.26	107,229.00	21,563.74-	183,825.00
DIVISION TOTAL	384,563.66	3,048,589.73	3,184,701.00	136,111.27-	5,459,542.00

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	TOTAL EXPENDITURES 01/01/91 - 01/31/91	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
4000 PARKS, PRES. & RECREATION DIV.					
101 PERSONAL SERVICES	322,252.27	3,102,161.88	3,203,247.00	101,085.12-	5,491,289.00
202 PERSONAL TRAVEL	10,545.44	41,849.32	46,282.00	4,432.68-	79,347.00
203 STATE VEHICLE OPERATION	10,933.73	119,954.14	105,525.00	14,429.14	180,906.00
204 STATE VEHICLE DEPRECIATIO	18,390.00	128,185.00	167,630.00	39,445.00-	287,369.00
301 OFFICE SUPPLIES	3,829.10	19,607.04	26,582.00	6,974.96-	45,575.00
302 FACILITY MAINTENANCE SUPP	51,342.69	313,921.88	326,244.00	12,322.12-	559,282.00
303 EQUIPMENT MAINTENANCE SUP	21,327.13	187,900.62	169,222.00	18,678.62	290,100.00
307 AG., CONSERVATION & HORT S	142.15	9,086.20	11,375.00	2,288.80-	19,500.00
308 OTHER SUPPLIES	4,383.27	20,340.30	15,891.00	4,449.30	27,247.00
309 PRINTING & BINDING	205.00	1,809.55	59,695.00	57,885.45-	102,339.00
312 UNIFORMS & RELATED ITEMS	736.06	4,029.67	27,950.00	23,920.33-	47,916.00
401 COMMUNICATIONS	6,764.26	46,002.69	38,902.00	7,100.69	66,692.00
402 RENTALS	1,116.30	19,366.14	11,950.00	7,416.14	20,490.00
403 UTILITIES	28,134.17	210,612.01	200,928.00	9,684.01	344,451.00
405 PROF. & SCIENTIFIC SERVICE	0.00	8,500.00	54,833.00	46,333.00-	94,000.00
406 OUTSIDE SERVICES	4,632.87	122,785.43	96,441.00	26,344.43	165,332.00
408 ADVERTISING & PUBLICITY	0.00	14.49	2,333.00	2,318.51-	4,000.00
410 DATA PROCESSING	504.47	1,391.70	4,665.00	3,273.30-	8,000.00
414 REIMBURSEMENTS TO OTHER A	10,202.80	13,879.19	3,935.00	9,944.19	6,750.00
501 EQUIPMENT	2,747.76	54,540.00	95,078.00	40,538.00-	163,000.00
602 OTHER EXPENSES & OBLIGATI	434.00	3,634.00	1,574.00	2,060.00	2,700.00
DIVISION TOTAL	498,623.47	4,429,571.25	4,670,282.00	240,710.75-	8,006,285.00

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IOWA DEPARTMENT OF NATURAL RESOURCES
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AS OF 01/31/91

	TOTAL EXPENDITURES 01/01/91 - 01/31/91	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
5000 FORESTRY DIVISION					
101 PERSONAL SERVICES	133,774.25	1,029,198.09	1,082,864.00	53,665.91-	1,856,348.00
202 PERSONAL TRAVEL	3,009.72	16,448.02	27,006.00	10,557.98-	46,305.00
203 STATE VEHICLE OPERATION	5,430.52	39,004.74	43,164.00	4,159.26-	74,000.00
204 STATE VEHICLE DEPRECIATIO	7,375.00	57,785.00	72,786.00	15,001.00-	124,781.00
301 OFFICE SUPPLIES	1,923.18	10,271.66	27,540.00	17,268.34-	47,220.00
302 FACILITY MAINTENANCE SUPP	3,783.66	18,650.45	18,909.00	258.55-	32,420.00
303 EQUIPMENT MAINTENANCE SUP	1,660.41	25,488.09	33,341.00	7,852.91-	57,160.00
307 AG., CONSERVATION & HORT S	6,310.73	58,476.00	48,309.00	10,167.00	82,818.00
308 OTHER SUPPLIES	9,934.64	25,053.81	6,356.00	18,697.81	10,900.00
309 PRINTING & BINDING	294.05	6,008.97	7,789.00	1,780.03-	13,360.00
312 UNIFORMS & RELATED ITEMS	253.76	712.48	3,733.00	3,020.52-	6,400.00
401 COMMUNICATIONS	2,628.24	14,908.59	15,082.00	173.41-	25,860.00
402 RENTALS	7,189.97	12,675.45	9,916.00	2,759.45	17,000.00
403 UTILITIES	2,802.94	12,384.67	16,623.00	4,238.33-	28,500.00
406 OUTSIDE SERVICES	2,954.09	12,788.00	33,452.00	20,664.00-	57,350.00
408 ADVERTISING & PUBLICITY	292.30	476.21	349.00	127.21	600.00
410 DATA PROCESSING	329.05	859.17	582.00	277.17	1,000.00
414 REIMBURSEMENTS TO OTHER A	50.00	121.26	0.00	121.26	0.00
501 EQUIPMENT	876.50	22,200.45	72,604.00	50,403.55-	124,473.00
701 LICENSES	0.00	50.00	11.00	39.00	20.00
801 STATE AID	0.00	29,806.91	54,833.00	25,026.09-	94,000.00
DIVISION TOTAL	190,873.01	1,393,368.02	1,575,249.00	181,880.98-	2,700,515.00

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IOWA DEPARTMENT OF NATURAL RESOURCES
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6000 ENERGY & GEOLOGICAL RESOURCES					
101 PERSONAL SERVICES	184,720.17	1,336,006.16	1,377,135.00	41,128.84-	2,360,825.00
202 PERSONAL TRAVEL	6,072.12	36,821.96	54,824.00	18,002.04-	94,000.00
203 STATE VEHICLE OPERATION	1,115.83	9,924.03	16,800.00	6,875.97-	28,800.00
204 STATE VEHICLE DEPRECIATIO	2,445.00	16,515.00	15,926.00	589.00	27,302.00
301 OFFICE SUPPLIES	553.83	6,594.26	3,404.00	3,190.26	5,849.00
302 FACILITY MAINTENANCE SUPP	20.56	435.86	175.00	260.86	300.00
303 EQUIPMENT MAINTENANCE SUP	89.80	8,580.95	23,331.00	14,750.05-	40,000.00
304 PROF. & SCIENTIFIC SUPPL	151.73	4,155.29	26,949.00	22,793.71-	46,200.00
308 OTHER SUPPLIES	4,784.55	18,694.39	19,951.00	1,256.61-	34,210.00
309 PRINTING & BINDING	722.50	9,071.82	35,683.00	26,611.18-	61,182.00
401 COMMUNICATIONS	4,290.27	7,629.34	10,796.00	3,166.66-	18,510.00
402 RENTALS	0.00	1,225.00	1,400.00	175.00-	2,400.00
403 UTILITIES	2,910.72	4,989.47	7,684.00	2,694.53-	13,175.00
405 PROF. & SCIENTIFIC SERVICE	138,725.67	468,665.19	950,077.00	481,411.81-	1,628,708.00
406 OUTSIDE SERVICES	2,125.36	8,500.09	8,861.00	360.91-	15,199.00
410 DATA PROCESSING	2,185.84	5,845.57	6,355.00	509.43-	10,900.00
414 REIMBURSEMENTS TO OTHER A	1,175.00	2,596.60	4,146.00	1,549.40-	7,118.00
501 EQUIPMENT	3,844.86	23,696.59	28,186.00	4,489.41-	48,330.00
DIVISION TOTAL	355,933.81	1,969,947.57	2,591,683.00	621,735.43-	4,443,008.00

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7000 ENVIRONMENTAL PROTECTION DIV.					
101 PERSONAL SERVICES	469,782.87	3,422,602.45	3,797,219.00	374,616.55-	6,509,541.00
202 PERSONAL TRAVEL	10,456.59	67,808.93	103,824.00	36,015.07-	178,000.00
203 STATE VEHICLE OPERATION	3,770.60	21,062.49	29,749.00	8,686.51-	51,000.00
204 STATE VEHICLE DEPRECIATIO	4,615.00	32,125.00	36,749.00	4,624.00-	63,000.00
301 OFFICE SUPPLIES	7,029.85	26,657.32	22,159.00	4,498.32	38,000.00
302 FACILITY MAINTENANCE SUPP	354.37	641.89	1,457.00	815.11-	2,500.00
303 EQUIPMENT MAINTENANCE SUP	1,316.21	8,281.33	6,415.00	1,866.33	11,000.00
304 PROF. & SCIENTIFIC SUPPL	459.19	459.19	2,916.00	2,456.81-	5,000.00
308 OTHER SUPPLIES	5,255.35	12,467.56	17,641.00	5,173.44-	30,250.00
309 PRINTING & BINDING	0.00	1,036.15	13,178.00	12,141.85-	22,600.00
312 UNIFORMS & RELATED ITEMS	364.57	1,086.39	2,041.00	954.61-	3,500.00
401 COMMUNICATIONS	3,771.04	18,794.74	21,961.00	3,166.26-	37,650.00
402 RENTALS	4,481.69	27,369.23	27,532.00	162.77-	47,200.00
403 UTILITIES	1,181.35	5,314.22	8,250.00	2,935.78-	14,145.00
405 PROF & SCIENTIFIC SERVICE	186,074.31	276,348.41	1,012,544.00	736,195.59-	1,735,800.00
406 OUTSIDE SERVICES	4,074.91	22,837.37	27,515.00	4,677.63-	47,175.00
408 ADVERTISING & PUBLICITY	221.49	1,372.34	2,681.00	1,308.66-	4,600.00
410 DATA PROCESSING	21,882.42	55,197.19	82,419.00	27,221.81-	141,300.00
414 REIMBURSEMENTS TO OTHER A	2,920.50	6,983.71	9,530.00	2,546.29-	16,350.00
501 EQUIPMENT	46,969.12	164,455.79	186,574.00	22,118.21-	319,850.00
DIVISION TOTAL	774,981.43	4,172,901.70	5,412,354.00	1,239,452.30-	9,278,461.00

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	TOTAL EXPENDITURES 01/01/91 - 01/31/91	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
8000 FISH AND WILDLIFE DIVISION					
101 PERSONAL SERVICES	810,638.01	6,177,051.64	6,371,702.00	194,650.36-	10,922,953.00
202 PERSONAL TRAVEL	21,946.39	151,486.06	211,519.00	60,032.94-	362,625.00
203 STATE VEHICLE OPERATION	43,199.61	253,218.42	296,681.00	43,462.58-	508,622.00
204 STATE VEHICLE DEPRECIATIO	55,265.00	382,800.00	370,613.00	12,187.00	635,350.00
301 OFFICE SUPPLIES	1,621.07	139,895.45	104,837.00	35,058.45	179,743.00
302 FACILITY MAINTENANCE SUPP	25,209.74	126,761.29	204,399.00	77,637.71-	350,423.00
303 EQUIPMENT MAINTENANCE SUP	17,185.09	204,827.86	220,530.00	15,702.14-	378,078.00
307 AG., CONSERVATION & HORT S	18,228.05	142,925.98	198,625.00	55,699.02-	340,512.00
308 OTHER SUPPLIES	5,889.83	61,200.96	61,812.00	611.04-	105,988.00
309 PRINTING & BINDING	1,197.06	64,682.15	85,091.00	20,408.85-	145,876.00
312 UNIFORMS & RELATED ITEMS	4,410.60	18,844.09	64,041.00	45,196.91-	109,800.00
401 COMMUNICATIONS	9,820.81	84,645.32	95,328.00	10,682.68-	163,440.00
402 RENTALS	6,553.24	21,748.53	23,174.00	1,425.47-	39,735.00
403 UTILITIES	19,875.06	101,664.10	129,845.00	28,180.90-	222,606.00
405 PROF & SCIENTIFIC SERVICE	5,550.00	86,674.21	98,874.00	12,199.79-	169,500.00
406 OUTSIDE SERVICES	3,282.41	47,148.86	88,109.00	40,960.14-	151,066.00
408 ADVERTISING & PUBLICITY	7.60	674.73	10,703.00	10,028.27-	18,350.00
410 DATA PROCESSING	4,839.62	36,559.00	22,166.00	14,393.00	38,000.00
414 REIMBURSEMENTS TO OTHER A	20,639.07	54,037.11	52,761.00	1,276.11	90,450.00
501 EQUIPMENT	7,242.68	90,690.28	185,514.00	94,823.72-	318,041.00
602 OTHER EXPENSES & OBLIGATI	0.00	1,000.00	350.00	650.00	600.00
701 LICENSES	0.00	25.00	98.00	73.00-	170.00
DIVISION TOTAL	1,082,600.94	8,248,561.04	8,896,772.00	648,210.96-	15,251,928.00

IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 01/31/91

	TOTAL EXPENDITURES 01/01/91 - 01/31/91	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
9000 WASTE MANAGEMENT AUTHORITY					
101 PERSONAL SERVICES	38,751.68	269,118.06	278,155.00	9,036.94-	476,841.00
202 PERSONAL TRAVEL	2,526.58	16,285.43	30,332.00	14,046.57-	52,000.00
301 OFFICE SUPPLIES	2.00	3,326.78	10,206.00	6,879.22-	17,500.00
303 EQUIPMENT MAINTENANCE SUP	73.75	73.75	0.00	73.75	0.00
308 OTHER SUPPLIES	110.50	3,098.59	6,707.00	3,608.41-	11,500.00
309 PRINTING & BINDING	10,782.17	41,462.65	30,623.00	10,839.65	52,500.00
401 COMMUNICATIONS	19.33	49.36	0.00	49.36	0.00
405 PROF & SCIENTIFIC SERVICE	4,140.00	57,614.08	94,881.00	37,266.92-	162,655.00
406 OUTSIDE SERVICES	73.14	3,011.50	8,281.00	5,269.50-	14,200.00
410 DATA PROCESSING	553.65	1,429.31	2,565.00	1,135.69-	4,400.00
414 REIMBURSEMENTS TO OTHER A	415.00	6,367.57	7,262.00	894.43-	12,450.00
501 EQUIPMENT	0.00	15,379.71	7,583.00	7,796.71	13,000.00
DIVISION TOTAL	57,447.80	417,216.79	476,595.00	59,378.21-	817,046.00

Mr. Kuhn stated that the budget deappropriation act will take approximately \$540,000 out of the department budget and will primarily affect the Support Divisions and the Parks and Forestry Divisions. The Environmental Protection Division will be affected by approximately \$90,000, primarily in the floodplain and water rights areas. He added that \$5,000,000 will be lost from the REAP program. Loss of the Hazardous Waste Remedial Fund will affect some cleanup costs such as those which were used for the Aflatoxin problem as well as cleanup of an Agriculture Department inspector's front yard. Mr. Kuhn stated that a subcommittee will meet later this week regarding FTE limits.

This was an informational item; no action was required.

LANDFILL ALTERNATIVES GRANT APPLICATIONS

Teresa Hay, Division Administrator, Waste Management Authority Division, presented the following item.

Fifty-one proposals were received by the first Monday in December 1990, for consideration in the latest round of the Landfill Alternatives Grant program. Funding requests totalled \$6.7 million dollars. \$1.7 million dollars is available for allocation.

A summary of the proposals is attached for the Commission's information. Proposal reviews have been completed and awards will be announced as soon as the proposed grantees have been notified. The first grant contracts will come to the Commission for approval in March.

(Proposals are shown on the following 9 pages)

**Landfill Alternatives Grants
Spring 1991**

APPLICATION #1: Arthur W. Moellering

GRANT REQUEST: \$118,932

DESCRIPTION: Requesting funds for equipment and salaries for a project to reduce waste paper materials in Clayton County by recycling the paper to agricultural use as bedding for dairy cows and hog operations.

APPLICATION #2: Klean Sand

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting financial assistance to purchase equipment for foundry sand reclamation in Black Hawk County.

APPLICATION #3: Robert Flickenger

GRANT REQUEST: \$40,500

DESCRIPTION: Requesting funds for equipment for a local recycling business in Rockwell City / Calhoun County. Recycling of metals, paper, glass and plastic is proposed.

APPLICATION #4: Hon Industries

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting equipment to pelletize sawdust for use as an alternative fuel. Project located in Muscatine County.

APPLICATION #5: Susan Salterberg

GRANT REQUEST: \$1,810

DESCRIPTION: Requesting wages for a two-part seminar on waste reduction education. Seminars will be in Black Hawk County.

APPLICATION #6: DAC, Inc.

GRANT REQUEST: \$79,200

DESCRIPTION: Requesting funds to purchase equipment for a county-wide recycling facility for Jackson County. Glass, cardboard, office paper, plastics, metals and newsprint will be recycled in this project.

APPLICATION #7: Iowa Oil Filter Recycling Company

GRANT REQUEST: \$34,590

DESCRIPTION: Requesting money for collection containers, equipment, and wages for a waste oil filter recycling program. Project would be centered in Grimes (Polk County).

APPLICATION #8: Scott Area Solid Waste Mangt. Commission

GRANT REQUEST: \$6,333

DESCRIPTION: Supplies for a local paint recycling project are proposed for Scott County.

APPLICATION #9: Iowa State University

GRANT REQUEST: \$36,072

DESCRIPTION: Requesting funds for site preparation, storage building, and equipment for composting yard waste generated at Iowa State University.

APPLICATION #10: Boone Co. Work Activity Center / Walters Sanitary Services.

GRANT REQUEST: \$233,874

DESCRIPTION: Requesting funds for equipment and buildings for a joint recycling effort in Boone County. The project would include voluntary curbside pickup of recyclable material.

APPLICATION #11: Recycling Services Associates, LTD

GRANT REQUEST: \$294,543

DESCRIPTION: This project would recycle discarded tires and plastics to create landscape timbers, speed bumps, and other products. The request is for equipment for this business. The project would be located in Green County.

APPLICATION #12: Z & P Composting

GRANT REQUEST: \$27,187

DESCRIPTION: Requesting funds for equipment, building and wages for a yard waste composing operation in Des Moines County.

APPLICATION #13: Vrandenburg Enterprises, Inc.

GRANT REQUEST: \$80,000

DESCRIPTION: Requesting funds for a conveying grinding separator for recovering and recycling thermoplastics. The project would be located in Keokuk.

APPLICATION #14: Environmental People for Enhancement Inc.

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting money for the purchase of dumpsters, trucks, a baler, other equipment and salaries for a project to collect and recycle corrugated cardboard and wood pallets. The project would likely be centered in Des Moines.

APPLICATION #15: Clinton County Area Solid Waste Agency

GRANT REQUEST: \$76,228

DESCRIPTION: Requesting funds for a baler, tractor, shredder, and loader for an operation dealing with land application of yard waste and baling of newsprint for animal bedding.

APPLICATION #16: City of Dubuque

GRANT REQUEST: \$300,000

DESCRIPTION: This project will implement a voluntary curbside collection of recyclable goods. Funds are requested for recycling trucks and curbside collection containers.

APPLICATION #17: Cass County Memorial Hospital

GRANT REQUEST: \$36,608

DESCRIPTION: This project will develop and implement a diaper laundering service. The pickup/delivery service will serve the Atlantic and Cass County area. Requested funds are for a delivery truck, diapers and supplies and other materials necessary for a conversion to the use of non-disposable diapers.

APPLICATION #18: Webster County Landfill Commission

GRANT REQUEST: \$34,512

DESCRIPTION: Requesting assistance for the purchase of a compost windrow turner for a yard waste composting project at the Webster County landfill.

APPLICATION #19: Environmental Defense Fund

GRANT REQUEST: \$12,000

DESCRIPTION: Requesting assistance to defray costs of a national advertising campaign promoting recycling.

APPLICATION #20: Gary G. Wendt

GRANT REQUEST: \$146,300

DESCRIPTION: Funds for a mobile tire shredder and salaries are requested for a project to be based in Denison (Crawford County).

APPLICATION #21: Northwest Aging Association

GRANT REQUEST: \$6,992

DESCRIPTION: This project proposes the use of reusable food trays in a food delivery service for the elderly in Clay and surrounding counties. Funds would pay for the purchase of the trays and for staff time.

APPLICATION #22: The Home Metal Recyclers

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting assistance in purchasing equipment and a feasibility study for an operation that would recycle metals. This would provide no-cost collection and drop-off of metals for recycling in the Cedar Rapids area.

APPLICATION #23: The University of Iowa

GRANT REQUEST: \$170,179

DESCRIPTION: Requesting funds for equipment and labor for a paper recycling program at the University of Iowa.

APPLICATION #24: Nishna Sanitary Services, Inc.

GRANT REQUEST: \$200,000

DESCRIPTION: Requesting funds for shredder equipment for a recycling and yard waste composting operation to serve Montgomery County. This project will also regionalize to serve Mills, Page and Fremont Counties.

APPLICATION #25: East Central Iowa Council of Governments

GRANT REQUEST: \$17,795

DESCRIPTION: Requesting staff funding for a regional educational program to raise the public's level of understanding of the solid waste problem. Project would be located in Cedar Rapids area.

APPLICATION #26: Hawkeye Wood Shavings, Inc.

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting funds to buy equipment to expand recycling operations for wood and cardboard. The waste will be turned into mulch, livestock bedding, and high density fuel cubes. This project would be in Des Moines.

APPLICATION #27: ACS Counties (Audubon, Crawford & Shelby)

GRANT REQUEST: \$297,764

DESCRIPTION: Funds for this project would be used to purchase containers, drop-off boxes, site preparation and construction costs for a transfer station. Recyclable goods would be transferred from these counties to the recycling facility in Carroll County.

APPLICATION #28: Wall, Inc.

GRANT REQUEST: \$300,000

DESCRIPTION: This project would recycle materials in the Perry area (Dallas County). Funds requested are for additional equipment and construction costs.

APPLICATION #29: Environmental Tire Recycling

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting funds for a tire shredder and conveyor equipment. This project would be centered in Louisa County.

APPLICATION #30: Dodd's Trash Hauling and Recycling

GRANT REQUEST: \$20,798

DESCRIPTION: Proposing to set up a full service recycling facility to serve Jasper County.

APPLICATION #31: Organic Technologies Corporation

GRANT REQUEST: \$232,900

DESCRIPTION: Requesting funds for equipment for a regional yard waste collection and composting facility to be located in Van Meter (Madison County).

APPLICATION #32: SOFF Corporation

GRANT REQUEST: \$300,000

DESCRIPTION: Requesting funds for a tire shredder for a project that will produce tire-derived fuel in Ames.

APPLICATION #33: Humbolt County Landfill Commission

GRANT REQUEST: \$52,750

DESCRIPTION: Requesting assistance for purchasing equipment for a recycling operation which will include drop-off and curbside collection in Humbolt County.

APPLICATION #34: City of Sioux City

GRANT REQUEST: \$161,412

DESCRIPTION: Requesting funds for a waste characterization study, community survey and market analysis for recyclable goods.

APPLICATION #35: Northwest Iowa Area Solid Waste Agency

GRANT REQUEST: \$143,645

DESCRIPTION: Requesting funds for construction and tire processing equipment for an expansion of a recycling facility in Sheldon (Sioux/O'Brien County).

APPLICATION #36: Marian Health Center

GRANT REQUEST: \$104,750

DESCRIPTION: Requesting equipment, supplies, and salary assistance for a program focusing on waste reduction and recycling in health facilities. Project based in Sioux City.

APPLICATION #37: NCS Plastics, Inc.

GRANT REQUEST: \$71,876

DESCRIPTION: Requesting funds for recycling equipment and solvent recovery system. Project would locate in Des Moines.

APPLICATION #38: Dr. Audrey D. Levine

GRANT REQUEST: \$25,000

DESCRIPTION: Requesting funding for staff time and supplies to develop a model recycling program for rural, urban and commercial districts. Project performed by ISU students.

APPLICATION #39: Kirk Mc Collough

GRANT REQUEST: \$3074

DESCRIPTION: Requesting funding assistance for an air exhaust test on ceramic briquettes made from waste foundry sand. These briquettes may be able to be used in gas grills. Project located in Webster City (Hamilton County).

APPLICATION #40: Joe E. and Karen S. Brown

GRANT REQUEST: \$153,872

DESCRIPTION: Requesting funds for the purchase of equipment and construction of a building for a regional recycling facility serving Marion County.

APPLICATION #41: Wiegert Disposal Company

GRANT REQUEST: \$150,329

DESCRIPTION: Requesting assistance in purchasing a building and equipment for a recycling program in Warren County.

APPLICATION #42: Horizons Unlimited

GRANT REQUEST: \$236,578

DESCRIPTION: Requesting money for personnel and equipment for a recycling operation to serve Palo Alto County.

APPLICATION #43: Delaware County Vocational Service Center

GRANT REQUEST: \$135,151

DESCRIPTION: Requesting funding for equipment and personnel for a recycling facility to serve Delaware County.

APPLICATION #44: Terry Norgaard / Spencer Recycling Center

GRANT REQUEST: \$62,000

DESCRIPTION: Requesting funds to construct a building and buy a baler for a recycling program in Clay County.

APPLICATION #45: City of Farmington

GRANT REQUEST: \$4,895

DESCRIPTION: Requesting funds for drop-off boxes for a local recycling effort. Project located in Farmington (Van Buren County).

APPLICATION #46: Kenneth Feldhacker / Creston Greenhouse

GRANT REQUEST: \$49,585

DESCRIPTION: Requesting money for the purchase of waste oil burners to provide heat for the Creston Greenhouse Complex. This project would serve Union and surrounding counties.

APPLICATION #47: Fayette County Solid Waste Commission

GRANT REQUEST: \$130,605

DESCRIPTION: Requesting funds to purchase equipment for a recycling facility to serve Fayette County.

APPLICATION #48: Lee County Recycling Center

GRANT REQUEST: \$81,107

DESCRIPTION: Requesting funds to purchase equipment and construct an expansion to current recycling facility in Fort Madison.

APPLICATION #49: Booster Club

GRANT REQUEST: \$5,312

DESCRIPTION: Request funds for a baler for local fund raising in Black Hawk County.

APPLICATION #50: Bennett Recycling

GRANT REQUEST: \$231,350

DESCRIPTION: Requesting funds for construction costs, equipment and labor costs for a curbside collection program for Humbolt County.

APPLICATION #51: James R. Brunsen

GRANT REQUEST: \$5,000

DESCRIPTION: Requesting money for a trailer to transport tires to a tire recycling operation. Project centered in Hancock County.

Ms. Hay reviewed specific applications for which staff anticipates granting a contract and gave a brief explanation of each project.

Chairperson Mohr commented that the direction to move on recycling is in the way of the regional concept and the department should promote that concept.

Clark Yeager stated that he has a problem with funding waste oil burners for the Creston Greenhouse when there are many private individuals all over the state that put their own money into oil burners. He added that he does not think it's a new technology.

Ms. Hay stated that the department can only fund what they receive applications for. It was felt that the Creston Greenhouse project fit well under the Oil Overcharge funding because it is energy related and will reduce the greenhouse dependence on natural gas.

This was an informational item; no action was required.

PUBLIC PARTICIPATION

Chairperson Mohr announced public participation at 11:00 a.m.; no one requested to speak.

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

Environmental Protection Commission Minutes

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IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
February 1, 1991

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	SUMMARY OF COMMENTS & RECOMMENDATIONS TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 8 - Contracts	1/22/91	*2/20/91	*3/ /91	-----	*4/15/91	*4/15/91	*5/15/91	*6/19/91
2. Ch. 23 - NSPS/NESHAPS	12/17/90	1/09/91	*2/ /91	1/29/91 1/30/91 1/31/91	*3/18/91	*3/18/91	*4/17/91	*5/22/91
3. Ch. 61 - Phase III Stream Use Designations	1/22/91	*2/20/91	*3/ /91	*3/12/91 *3/13/91 *3/14/91 *3/15/91	*4/15/91	*4/15/91	*5/15/91	*6/19/91
4. Ch. 63 - Effluent Monitoring Requirements	9/17/90	10/17/90	11/13/90	11/07/90 11/08/90 11/13/90 11/14/90	*3/18/91	*3/18/91	*4/17/91	*5/22/91
5. Ch. 66 - Aquatic Pesticide Rules	2/18/91	*3/20/91	*4/ /91	*4/09/91 *4/10/91 *4/11/91	*5/13/91	*5/13/91	*6/12/91	*7/17/91
6. Ch. 68 - Commercial Cleaning of Private Sewage Disposal Facilities	1/22/91	*2/20/91	*3/ /91	*3/12/91 *3/13/91 *3/14/91 *3/15/91	*4/15/91	*4/15/91	*5/15/91	*6/19/91
7. Ch. 102 - Financial Assurance/Closure and Post-Closure	*3/18/91	*4/17/91	*5/ /91	*5/ /91	*6/ /91	*6/ /91	*7/ /91	*8/ /91
8. Ch. 102 - Landfill Operator Certification	2/18/91	*3/20/91	*4/ /91	-----	*5/13/91	*5/13/91	*6/12/91	*7/17/91
9. Ch. 109 - Landfill Alternative Grants	*3/18/91	*4/17/91	*5/ /91	*5/ /91	*6/ /91	*6/ /91	*7/ /91	*8/ /91
10. Ch. 117 - Waste Tire Storage and Processing Facilities	1/22/91	*2/20/91	*3/ /91	*3/12/91 *3/14/91 *3/19/91 *3/21/91	*4/15/91	*4/15/91	*5/15/91	*6/19/91
11. Ch. 135 - UST Technical Standards (New Subrule 135.7(10) (Insolvency))	10/15/90	11/14/90	12/12/90	12/04/90 12/06/90 12/07/90	*3/18/91	*3/18/91	*4/17/91	*5/22/91

*Projected

MONTHLY VARIANCE REPORT						
Month: January, 1991						
No.	Facility	Program	Engineer	Subject	Decision	Date
1.	Corn Belt Power - Humboldt	Air Quality		Emission Standard	Approved	01/23/91
2.	Corn Belt Power - Spencer	Air Quality		Emission Standard	Approved	01/23/91
3.	City of Albia	Wastewater Construction	Garden & Associates	Site Separation	Approved	01/07/91
4.	City of Iowa Falls	Wastewater Construction	Clapsaddle-Garber Associates	Check Valve Location	Approved	01/07/91
5.	City of Van Meter	Wastewater Construction	Vance & Hochstetler	Check Valve Location	Approved	01/11/91
6.	Muscataine Power & Water	Solid Waste	Donald Parker - Environmental Affairs Supt.	Leachate	Denied	01/16/91
7.	Climax Molybdenum Landfill-Lee County	Solid Waste	Howard R. Green Co.	Groundwater Monitoring	Approved	01/18/91
8.	American Water Service Co.-Clinton	Watersupply Operation	Clarence Blanck - American Water Service Co.	System Operation	Denied	01/07/91
9.	University of Iowa Water Plant	Watersupply Operation	Ken Lloyd - Water Plant Manager	System Operation	Denied	01/07/91

E91Feb-17

TOPIC: Report of Hazardous Conditions

During the period January 1, 1991 through January 31, 1991, reports of 56 hazardous conditions were forwarded to the Central Office. Two incidents are highlighted below. A general summary and count by field office is attached. These do not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Description: Material, Amount, Date of Incident, Cause, Location, Impact	Responsible Party	Response and Corrective Actions
01/06/91 Mitchell	On Jan. 6, 1991, a fire started in an ag chemical storage shop at an elevator in Toeterville. Twenty different ag chemicals were stored in the shop. Some storage containers were damaged by the heat, but no significant release occurred.	Hunting Elevator 109 N. Main Austin, MN 55912	Nearby residents were evacuated as a precaution. Water used to extinguish the fire was contained for proper disposal.
01/29/91 Van Buren	A truck carrying liquid propane gas slid off the road into a ditch on Jan. 29, 1991. A small leak developed at the nozzle of a hose. 15-20 gallons of LPG were released.	Double circle Coop Bonaparte, IA 52620	The RP was advised to remove all ignition sources from the area and allow the gas to dissipate before the truck was towed.

NUMBERS IN PARENTHESES REPRESENT REPORTS FOR THE SAME PERIOD IN FISCAL YEAR 1990

Substance Type					Mode					
Month	Total # of Incidents	Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	112(89)	69(62)	7(10)	36(17)	70(52)	0(3)	25(10)	1(1)	1(1)	15(22)
Nov.	69(57)	36(36)	11(10)	22(17)	35(52)	0(3)	15(10)	4(2)	1(0)	14(5)
Dec.	85(65)	61(43)	14(4)	10(18)	37(32)	1(3)	23(9)	1(3)	1(2)	22(16)
Jan.	56(104)	31(76)	7(6)	18(22)	35(72)	1(2)	9(16)	1(4)	1(3)	9(7)

Total Number Of Incidents Per Field Office This Period:

1	2	3	4	5	6
8	6	6	7	9	20

REPORTS OF RELEASES FROM UNDERGROUND STORAGE TANKS

During the period of January 1, 1991 through January 31, 1991, the following number of releases from underground storage tanks were identified.

137 (126)

The number in parentheses represents the number of releases during the same period in Fiscal Year 1990.

Environmental Protection Commission Minutes

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Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Anthony's Resort, Sherrill (1)	Drinking Water	Monitoring/Reporting-Nitrate; Public Notice; MCL-Bacteria	Order/Penalty	1/14/91
Merle Hall Trucking Co.; Jim & Mary's Cafe; Carpet Corner; and Harry Hermansdorfer, Brooklyn (5)	Wastewater	Prohibited Discharge	Order/Penalty	1/14/91
Western Hills Subdivision, Algona (2)	Drinking Water	Operation Without Permit	Order	1/14/91
Pioneer, City of (2)	Drinking Water	Operation Without Permit	Order	1/14/91
Ottosen, City of (2)	Drinking Water	Operation Without Permit	Order	1/14/91
Waucoma, City of (1)	Drinking Water	Operation Without Permit	Order	1/14/91
Joe W. Ringsdorf, Kossuth County (2)	Air Quality	Open Burning	Order/Penalty	1/14/91
Carmen M. Poulsen, Johnson County (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	1/14/91
Ann M. Williams, New Virginia (5)	Wastewater	Monitoring/Reporting	Order	1/18/91
New Virginia Sanitary District (5)	Wastewater	Monitoring/Reporting	Order/Penalty	1/18/91
Harry M. Jones, Waukee (5)	Wastewater	Monitoring/Reporting	Order	1/18/91
Waukee, City of (5)	Wastewater	Monitoring/Reporting	Order/Penalty	1/18/91
David Brinegar, Wapello County (6)	Wastewater	Prohibited Discharge	Order/Penalty	1/18/91
Corwith, City of (2)	Wastewater	Monitoring/Reporting	Order/Penalty	1/18/91
Crab Tree Lake Resort, Marshall County (5)	Wastewater	Monitoring/Reporting	Order/Penalty	1/18/91
Circle Hill Farms, Ltd. Ellsworth (2)	Solid Waste	Illegal Disposal	Amended Order	1/18/91
Cedar Hill Apartments, Dubuque (1)	Drinking Water	Monitoring/Reporting-Inorganics	Referred to AG	1/22/91
Corwith, City of (2)	Drinking Water	Construction Without Permit	Order	1/24/91
Camp Riverside, Guthrie County (4)	Flood Plain	Construction Without Permit/Registration	Order/Penalty	1/24/91
Rollin Homes Hide-A-Way Manor, Cedar Rapids (1)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	1/24/91
John W. Yotter, Oakville (6)	Solid Waste	Illegal Disposal	Order/Penalty	1/30/91
Twin Knolls 6th Addition Water Service Co., Cedar Rapids (1)	Drinking Water	Monitoring/Reporting-Inorganics	Order/Penalty	1/30/91
Villa Hermosa, Cedar Rapids (1)	Drinking Water	Monitoring/Reporting-Inorganics	Order/Penalty	1/30/91
Grand Mound, City of (6)	Wastewater	MIP	Amended Order	1/30/91
Stanwood, City of (6)	Wastewater	Discharge Limits	Amended Order	1/30/91

E91Feb-19

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
*Gilbert John Fjone (Swaledale)	SW	100	11-22-90
Roy Long (Knoxville)	SW	1,000	12-17-90
Don and Gertrude Carney (Ft. Dodge)	SW	600	1-13-91
John Dennis and Kirk Knox (Audubon County)	SW	300	2-18-91
Pony Creek Homeowners Assoc. #1 (Pacific Jct.)	WS	315	2-24-91
Pacific Junction Water Supply	WS	230	3-02-91
M & D's Chalet (Elgin)	WS	490	3-02-91
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Sac County Country Club (Wall Lake)	WS	215	3-15-91
Anthony's Resort (Sherrill)	WS	100	3-16-91
Merle Hall Trucking Co., et.al. (Brooklyn)	WW	500	3-16-91
Wauke (City of)	WW	1,000	3-25-91
New Virginia Sanitary District	WW	1,000	3-25-91
Camp Riverside (Guthrie County)	FP	500	3-26-91
David Brinegar (Wapello County)	WW	500	3-28-91
Corwith, City of	WW	500	3-28-91
Joe W. Ringsdorf (Kossuth County)	AQ	1,000	-----
Carmen M. Paulsen (Johnson County)	AQ/SW	1,000	-----
Crab Tree Lake Resort (Marshall County)	WW	500	-----
Rollin' Homes Hide-A-Way Manor (Cedar Rapids)	WS	360	-----
Twin Knolls 6th Addition Water Co. (Cedar Rapids)	WS	200	-----
Villa Hermosa (Cedar Rapids)	WS	200	-----
John W. Yotter (Louisa County)	SW	1,000	-----
Camp Courageous of Iowa (Monticello)	WS	100	-----

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
OK Lounge (Marion)	WS	448	11-01-87
Richard Davis (Albia)	SW	1,000	2-28-88
**Handi-Klasp, Inc. (Webster City)	WW/HC	1,000	8-02-88
McCabe's Supper Club (Burr Oak)	WS	335	12-14-88
Eagle Wrecking Co. (Pottawattamie Co.)	SW	300	5-07-89
*Twelve Mile House (Bernard)	WS	119	5-20-89
*Lawrence Payne (Ottumwa)	SW	425	6-19-89
Stan Moser (Hudson)	SW	250	6-27-89
Richard Kleindolph (Muscatine)	SW	200	8-17-89
Robert Fisch (Manchester)	AQ	600	9-01-89
William L. Bown (Marshalltown)	SW	1,000	10-01-89
Darlo Schaap (Sioux Center)	SW	600	1-14-90
Wellendorf Trust (Algona)	AQ/SW	460	2-12-90
Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
East Side Acres (Merville)	WS	200	12-26-89
East Side Acres (Merville)	WS	600	4-01-90
Craig Natvig (Cerro Gordo Co.)	SW	750	6-18-90
Amoco Oil Company (Des Moines)	UT	1,000	8-15-90
Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90
Cedar Hills Apartments (Dubuque)	WS	300	11-27-90

** Independent Attorney General Action

*On Payment Schedule

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
AMOCO Oil Co. (Des Moines)	UT	1,000
Iowa City Regency MHP	WW	1,000
Thomas E. Lennon (Barnum)	FP	700
Great Rivers Coop (Atavia)	HC	1,000
1st Iowa State Bank (Albia)	SW	1,000
Cloyd Foland (Decatur)	FP	800
Superior-Ideal, Inc. (Oskaloosa)	WW	1,000
IBP, inc. (Columbus Junction)	WW	600
King's Terrace Mobile Home Court (Ames)	WW	1,000
King's Terrace Mobile Home Court (Ames)	WS	315
Premium Standard Farms, Inc. (Boone Co.)	WW/AQ	700
Amoco Oil Co. (West Des Moines)	UT	1,000
Cozy Cafe (Lucas)	WS	500
Stone City Iron & Metal Co. (Anamosa)	AQ	1,000
Manson Water Supply	WS	500
Joe Villinger (West Point)	SW	500
Midwest Mining, Inc. (Harrison Co.)	FP	800
Rasch Construction, Inc. (Ft. Dodge)	AQ	1,000
Orchard, City of	WW	1,000
Sioux City, City of	WW	1,000
Donald Ray Maasdam (Pocahontas Co.)	SW	1,000
Vern Starling (Boone Co.)	SW	1,000
Des Moines, City of	HC	1,000
Carl A. Burkhart d/b/a American Wrecking Co.	AQ/SW	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Troy Mills Dam Assn. (Troy Mills)	FP	300
Maple Crest Motel and MHP (Mason City)	WS	350
Geneva Grain & Lumber, Inc. (Franklin Co.)	WW/SW	1,000
Plymouth County Solid Waste Agency	SW	1,000
Lloyd Dunton (Iowa County)	SW	1,000
Chicago & North Western Transportation, et.al.	SW	1,000
Vincent Martinez d/b/a Martinez Sewer (Davenport)	HC	1,000
Richard Duncan (Louisa County)	SW/AQ	500
Stuckey's #287-Pecan Shop (Little Sioux)	WS	1,000
Joe Eggers, Jr., et. al. (St. Ansgar)	SW	1,000
McDowell Dam #1 (Lee County)	FP	500
McDowell Dam #2 (Lee County)	FP	500

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Circle Hill Farms, Ltd. (Ellsworth)	SW	150
Packaging Corp. of America (Tama)	WW	1,000
Fontana Park-Picnic Area (Buchanan County)	WS	150
Sylvan Acres (Janesville)	WS	245

TOTAL \$1,545

The \$200.00 penalty assessed to Larchwood Water Supply has been rescinded.

*On Payment Schedule

ADMINISTRATIVE PENALTY SUMMARY

08-01-90

The table below summarizes administrative penalty assessments through June, 1990. The first column of this table is a rough breakdown of the environmental program and violation types for which penalties have been assessed. The next five columns state the dollar amounts collected during the stated time periods, and the number of cases in parentheses.

Violation Type	FY 86	FY 87	FY-88	FY-89	FY-90 1st QTR
WW Discharge	\$ 1,400 (2)	\$12,950 (18)	\$ 9,900 (18)	\$ 7,355 (07)	\$ 8,350 (10)
WW Monitoring	815 (3)	1,610 (5)	4,892 (11)	4,450 (09)	1,000 (01)
WW Other	---	2,500 (3)	5,950 (11)	4,172 (07)	1,500 (02)
SW Permit	1,500 (4)	6,100 (11)	8,598 (12)	1,800 (03)	5,027 (07)
SW Open Dumping	1,250 (2)	4,000 (7)	4,175 (10)	2,958 (09)	3,519 (08)
Air Permit	2,600 (3)	3,950 (6)	9,275 (14)	3,500 (08)	6,850 (13)
Air Open Burning	625 (2)	3,650 (7)	5,250 (10)	5,134 (12)	3,605 (08)
WS Monitoring	1,859 (20)	7,178 (58)	11,186 (75)	15,804 (102)	9,869 (60)
WS Permit	598 (2)	---	3,225 (7)	2,100 (08)	1,500 (03)
Floodplain	---	150 (1)	1,200 (2)	800 (01)	1,536 (05)
HC Notice	---	600 (1)	3,750 (7)	600 (01)	500 (01)
Water Use	---	---	150 (2)	---	3,000 (03)
Construction Permit	---	100 (1)	---	150 (01)	---
Underground Tanks	---	---	---	500 (01)	---
TOTALS	\$10,647 (38)	\$42,788 (118)	\$67,551 (179)	\$ 49,323 (169)	\$ 46,256(121)

ADMINISTRATIVE PENALTY SUMMARY

02-01-91

The table below summarizes administrative penalty assessments since July, 1990. Other summaries exist for prior fiscal years. The first column of this table is a rough breakdown of the environmental program and violation types for which penalties have been assessed. The middle columns state the dollar amounts collected during the stated time periods, and the number of cases in parentheses. The last column states similar data for cases still pending as of January, 1991 (penalties appealed, delinquent or assessed but not yet due).

Violation Type	FY-91 1st Qtr	FY-91 2nd Qtr	TOTAL FY91	PENDING
WW Discharge	\$ 2,000 (02)	\$ 400 (01)	\$ 2,400 (03)	\$ 10,000 (10)
WW Monitoring	300 (01)	1,900 (03)	2,200 (04)	--
WW Other	300 (01)	2,600 (03)	2,900 (04)	3,300 (04)
SW Permit	1,000 (01)	831 (02)	1,831 (03)	1,750 (02)
SW Open Dumping	500 (03)	650 (02)	1,150 (05)	16,604 (25)
Air Permit	300 (01)	3,000 (03)	3,300 (04)	2,000 (02)
Air Open Burning	1,075 (03)	--	1,075 (03)	1,600 (02)
WS Monitoring	3,105 (18)	2,790 (17)	5,895 (35)	5,962 (17)
WS Permit	--	850 (02)	850 (02)	600 (01)
Floodplain	--	--	--	3,600 (06)
HC Notice	--	--	--	--
Water Use	--	--	--	--
Construction Permit	--	--	--	--
Underground Tanks	--	--	--	3,000 (03)
TOTALS	\$ 8,580 (30)	\$13,021 (33)	\$21,601 (63)	\$ 48,416 (72)

Environmental Protection Commission Minutes

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DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
February 1, 1991

Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Aidex Corporation Council Bluffs (4)		Hazardous Waste	Release of Hazardous Substances	Referred to Attorney General	Referred EPA suit filed State intervention Motion to dismiss granted/denied Filed interlocutory appeal Decision in favor of govt. Case Management Hearing	12/16/82 2/26/87 3/05/87 2/26/88 3/11/88 4/04/89 11/20/90
Amoco Oil Company Des Moines/Ames (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred	10/15/90
Amoco Oil Company Des Moines/Ft. Madison (5&6)		Underground Tank	Remedial Action	Referred to Attorney General	Referred	8/21/90
William L. Bown Marshalltown (5)		Solid Waste	Open Dumping	Order/Penalty	Referred Petition Filed Default Judgment	11/20/89 3/03/90 7/27/90
Bridgestone/Firestone, Inc. Des Moines (5)		Wastewater Hazardous Condition	Prohibited Discharge Failure to Notify	Referred to Attorney General	Referred	5/21/90
Brockhouse, Dwight Muscatine (6)	Updated	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Petition Filed Consent Decree (\$2,500)	9/18/90 11/30/90 1/15/91
Carnicle, Roger d/b/a The New New Shack Tavern Cedar Rapids (1)		Drinking Water	MCL - Bacteria	Referred to Attorney General	Referred Petition Filed	9/18/90 12/31/90
Cedar Hills Apartments Dubuque (1)	New	Drinking Water	Monitoring/Reporting	Order/Penalty	Referred	1/22/91
Clear Lake Sanitary District (2)	Updated	Wastewater	Compliance Schedule	Referred to Attorney General	Referred Petition Filed Consent Decree (\$1,000)	4/16/90 7/30/90 1/07/91
Cerro Gordo County Area Landfill Agency (2)		Solid Waste	Cover Violations	Referred to	Referred Petition Filed Answer Filed	4/16/90 6/25/90 8/13/90
Chalfant, Milo, et.al. Webster City (2)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Suit Filed	9/20/89 8/08/90
Clinton Pallet Co. Clinton (6)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Suit Filed Default Judgment	6/21/89 11/09/89 4/ /90
Cooper, Kenneth/Hunter Oil Minburn (5)		Storage Tank	Spill Cleanup	Order	Cooper Referred Hunter Referred Site Assessment DNR Review Remediation Plan	8/17/88 2/01/90 4/20/90 8/22/90
Country Lane Foods, Division of Yoder, Inc., Kalona (6)				Referred to Attorney General	Referred	11/20/90
Davis, Richard & Sonja (5)		Solid Waste	Open Unpermitted Dumping	Referred to Attorney General	Referred Suit Filed Default Judgement Filed Motion to Deny Default Motion Overruled	6/22/88 8/11/88 4/21/89 6/14/89 10/04/89
Jimmy Dean Meat Co., Inc. (5)		Wastewater	Pretreatment	Referred to Attorney General	Referred	4/16/90
Denham, Larry Ottumwa (6)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Petition Filed	8/21/90 11/30/90
Des Moines, City of (5)		Wastewater	Operation Violations	Referred to Attorney General	Referred	9/18/90
Dexter Co., The Fairfield (6)		Wastewater	Prohibited Discharge Effluent Limit Discharge	Referred to Attorney General	Referred Petition Filed	3/20/90 7/31/90
Drevelow, Harvey d/b/a Hanson Tires New Hampton (1)		Air Quality Solid Waste	Open Burning Illegal Disposal	Referred to Attorney General	Referred	6/19/90

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Drips, Joseph and Diana vs. DNR		Wastewater	Private Sewage Disposal	Defending	Suit Filed	8/06/90
Eagle Wrecking Co. Pottawattamie Co. (4)		Solid Waste	Open Dumping	Order/Penalty	Referred Bankruptcy Claim Filed	6/21/89 7/24/89
Ervin, Don Webster County (2)		Solid Waste	Operation Without Permit	Order/Penalty	Referred Motion for Summary Judgment Hearing Held Judgment for \$1,000 Execution & Order to Levy Application to Condemn Funds Partial Payment Received (\$331)	4/16/90 6/02/90 7/02/90 7/13/90 9/28/90 11/27/90 11/30/90
Fairfield, City of (6)		Wastewater	Monitoring/Reporting Discharge Limitations Operation Violation	Order	Referred Petition Filed	2/20/90 7/31/90
Fisch, Robert Manchester (1)		Air Quality	Open Burning	Order/Penalty	Referred Motion for Summary Judgment Judgment for \$600	10/24/89 12/05/89 2/27/90
Fjone, Gilbert Swaedale (2)		Solid Waste	Open Dumping	Order/Penalty	Referred Payment Schedule	10/24/89 6/ /90
Giametta, Dominic d/b/a Fred's 66, Davenport (6)		Underground Tank	Remedial Action	Order/Penalty	Referred Petition Filed	12/11/89 7/02/90
Great Dane Fertilizer, Inc. Audubon (4)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	9/18/90
Hancock County and William Weddingham (2)		Underground Tank	Remedial Action	Referred to Attorney General	Referred	11/20/90
Holnam Northwestern Cement Mason City (2)		Air Quality	Emission Standards	Referred to Attorney General	Referred	8/21/90
Humboldt Co. Landfill Commission (2)		Solid Waste	Cover Violations	Order/Penalty	Referred Petition Filed Discovery Proceeding	11/20/89 8/30/90 11/15/90
IBP, Inc. Columbus Junction (6)	Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Judicial Review Motion for Stay Resistance of Motion for Stay Hearing on Motion for Stay Ruling on Motion for Stay Oral Argument	10/16/90 10/16/90 10/26/90 10/26/90 10/26/90 1/25/91
Iowa Dress Club, Inc. Oskaloosa (5)		Wastewater Solid Waste	Prohibited Discharge Illegal Disposal	Referred to Attorney General	Referred	7/16/90
Kleindolph, Richard Muscatine (6)		Solid Waste	Open Dumping	Order/Penalty	Referred Petition Filed Default Judgment Partial Penalty Paid (\$300)	10/24/89 4/06/90 8/13/90 9/13/90
Kollbaum, Garry East Side Acres Merville (3)		Drinking Water	MCL-Nitrate	Order/Penalty	Referred Petition Filed	5/21/90 7/02/90
Lakeshore Drive, Inc. et.al. Osceola (5)		Flood Plain	Reconstruction	Order	Referred Petition Filed Judgment vs. Lakeshore	11/20/89 2/07/90 4/09/90
Larson, Daryl, D.V.M. Audubon (4)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	11/20/89
Mathern, Larry (Larry's DX) Ralph Beck; Walker Oil Co. (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred Petition Filed	2/20/90 7/02/90
McGregor, John W. and Doris v. DNR (4)	Updated	Wastewater	DNR Defendant	401 Certification	Referred Consent Decree	11/13/90 1/14/91
Mike McGinnis, Alfred Patten and Dennis Lewis Pottawattamie Co. (4)		Solid Waste	Open Dumping	Referred to Attorney General	Referred Suit Filed	10/24/89 11/15/89
Miller Products Co. (5)		Wastewater	Pretreatment	Order/Penalty	Referred Petition Filed	4/16/90 11/29/90
Monfort, Inc. (5)		Wastewater	Prohibited Discharge	Attorney General	Referred	12/11/89

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Moser, Stan	Updated	Solid Waste	Illegal Dumping	Order/Penalty	Judicial Review Order Affirmed Contempt Citation Modified (\$500) Contempt Citation	9/26/88 5/25/89 1/24/90 5/21/90 11/14/90
				Referred to Attorney General	Referred Petition Filed Trial Decision (\$1,800)	7/19/89 9/12/89 3/15/90 12/11/90
Natvig, Craig Mason City (2)		Solid Waste	Operation Without Permit	Order/Penalty	Referred Petition Filed	8/21/90 11/29/90
Null, Donald Clinton County (6)		Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred	10/15/90
Osceola, City of (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	4/16/90 11/30/90
Pete's Sunoco/ Popejoy Septic West Des Moines		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	6/19/90
Pregler, Gerald Dubuque County (1)		Solid Waste	Illegal Disposal	Order/Penalty	Referred	10/15/90
Pruess v. IDNR		Hazardous Condition	DNR Defendant	Abatement Order	Suit Filed Hearing DNR Motion to Dismiss Hearing Amended Petition DNR Motion to Dismiss Hearing Set Dismissed Appealed to Supreme Court	4/24/90 4/30/90 5/14/90 5/15/90 5/25/90 6/18/90 8/10/90 8/21/90 9/19/90
Root, William/LAWNKEEPERS Mitchell County (2)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	7/16/90
Sani-Wash Corporation Clinton (6)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	8/23/89
Schaap, Dario Sioux Center (3)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed	2/20/90 6/21/90
Schultz, Albert and Iowa Iron Works Ely (1)		Solid Waste	Open Dumping	Referred to Attorney General	Referred Suit Filed	9/20/89 8/08/90
Sevig, Gordon, et.al. Walford (1)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Criminal Charges Filed	9/20/89 7/15/90
Siouxland Quality Meat Co., Inc. Sioux City (3)		Wastewater	Discharge Limitations	Referred to Attorney General	Referred Petition Filed	2/20/90 7/02/90
Stickle Enterprises, Ltd. et.al., Cedar Rapids (6)		Air Quality	Open Burning	Referred to Attorney General	Referred Suit Filed Trial Set Trial Continued	9/20/89 10/17/89 10/16/90
Sun Wise Systems Corp. Sac City (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred	10/15/90
Swea City Oil Co./Irene Fagerlund, Swea City (2)		Underground Tank	Remedial Action	Referred to Attorney General	Referred	8/21/90
Touchdown Co., et. al., Webster City (2)		Underground Tank	Prohibited Discharge Failure to Report Hazardous Condition	Referred to Attorney General	Referred	6/21/89
United Technologies Automotive Iowa City (6)		Air Quality	Construction Without Permit	Referred to Attorney General	Referred	10/15/90
Wayne, Ringgold and Decatur Co. SW Management Commission (5)	Updated	Solid Waste	Monitoring/Reporting	Referred to Attorney General	Referred Petition Filed Consent Decree (\$2,000)	9/18/90 1/25/91 1/25/91
Witt, John J. Long Grove (6)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred Petition Filed Default Judgment (\$6,000)	8/21/90 10/16/90 12/11/90

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 DEPARTMENT OF NATURAL RESOURCES
 ENVIRONMENTAL PROTECTION COMMISSION
 CONTESTED CASES
 FEBRUARY 1, 1991

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Administrative Order	WW	Landa	Hearing continued.
12-03-86	Wauke, City of	Administrative Order	WS	Hansen	Construction completed.
5-12-87	Iowa City Regency MHP	Administrative Order	WW	Hansen	Hearing held 11-03-87.
6-11-87	Thomas Lennon	Administrative Order	FP	Clark	Settled.
8-10-87	Great Rivers Co-op	Administrative Order	HC	Landa	Final report approved. Settlement proposed.
1-15-88	First Iowa State Bank	Administrative Order	SW	Kennedy	Appealed to EPC 1/18/91
2-04-88	Beaverdale Heights, Woodsman; Westwood Hills	Administrative Order	WS	Landa	Settlement proposed.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Landa	Report reviewed. Additional work requested.
3-01-88	Cloyd Foland	Administrative Order	FP	Clark	Supreme Court confirms;remands other issues.
7-01-88	Superior Ideal, Inc.	Administrative Order	WW	Hansen	Hearing continued/settlement discussions.
7-25-88	Nishna Sanitary Services, Inc.	Permit Conditions	SW	Landa	Settlement proposed.
8-03-88	Hardin County	Permit Conditions	SW	Landa	Settlement proposed.
10-03-88	ISP, Columbus Junction	Administrative Order	WW	Clark	Appealed to District Court.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Landa	Compliance initiated. Assessment report submitted.
1-25-89	Amoco Oil Co. - Des Moines	Administrative Order	UT	Landa	Settlement proposed. Clean-up progressing.
2-10-89	Northwestern States Portland Cement Company	Site Registry	HW	Landa	Settlement proposed.
2-10-89	Baier/Mansheim/Moyer	Site Registry	HW	Landa	Hearing continued. Settlement proposed.
2-16-89	John Deere Co. - Dubuque	Site Registry	HW	Landa	Final decision 12/17/90. Judicial review.
2-16-89	Premium Standard Farms	Administrative Order	WW/AQ	Murphy	Hearing continued.
3-14-89	Dannie R. Hoover and Bill Edwards	Flood Plain Permit Issuance	FP	Clark	Amended proposed decision 11/14/90; appealed.
5-01-89	Amoco Oil Co. - West Des Moines	Administrative Order	UT	Landa	Compliance initiated.
6-08-89	Shaver Road Investments	Site Registry	HW	Landa	Hearing continued. Discovery initiated.

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DEPARTMENT OF NATURAL RESOURCES
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 CONTESTED CASES
 FEBRUARY 1, 1991

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-12-89	Amana	Site Registry	HC	Landa	Negotiating before filing.
6-19-89	Grand Mound, City of	Administrative Order	WW	Hansen	Amended order issued.
6-22-89	Chicago & Northwestern Transportation Co. Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	HC	Landa	Proposed decision 12/13/90. Appealed.
7-26-89	Cozy Cafe	Administrative Order	WS	Hansen	EPD to send follow-up letter.
9-01-89	Stone City Iron & Metal	Administrative Order Permit Denial	AQ	Kennedy	Temporary permit issued 5/31/90.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Landa	Negotiation proceeding.
10-24-89	Consumers Cooperative Assoc.	Site Registry	HC	Landa	Negotiation proceeding.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Landa	Hearing continued pending negotiations.
11-17-89	Aten Services, Inc.	Administrative Order	SW/UT	Landa	Compliance initiated.
12-11-89	Leo Schachtner	Permit Issuance	FP	Clark	Hearing continued.
12-21-89	Robert Coppinger and Velma Nehman	Flood Plain Permit Denial	FP	Clark	Final decision 1/22/91.
1-02-90	Midwest Mining, Inc.	Administrative Order	FP	Clark	Negotiating before filing.
1-04-90	Joe Villinger	Administrative Order	SW	Kennedy	Negotiating before filing.
1-08-90	Northwestern States Portland Cement Co.	Permit Amendment	WW	Landa	Negotiating before filing.
2-07-90	Jerry Jones	401 Denial	WW	Murphy	Proposed decision 11/02/90; affirmed 12/17/90.
3-20-90	Kaneb Pipeline Co.	Administrative Order	HC	Landa	Hearing set for 2/13/91.
3-22-90	Vern Starling	Administrative Order	SW	Kennedy	Hearing continued.
3-27-90	Orchard, City of	Administrative Order	WW	Hansen	Negotiating before filing.
4-23-90	Sioux City, City of	Administrative Order	WW	Hansen	Informal meeting held on 5/18/90.
5-08-90	Texaco Inc./Chemplex Company Site	Site Registry	HW	Landa	Hearing continued.

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 ENVIRONMENTAL PROTECTION COMMISSION
 CONTESTED CASES
 FEBRUARY 1, 1991

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
5-09-90	Raccoon Valley State Bank	Administrative Order	HC	Landa	Hearing continued. Negotiating.
5-09-90	Square D Company	Site Registry	HW	Landa	Hearing continued. Negotiating.
5-11-90	Carl A. Burkhart	Administrative Order	AQ/SW	Kennedy	Briefs due 2/12/91.
5-14-90	Van Dusen Airport Services	Administrative Order	HC	Landa	Compliance Initiated.
5-15-90	Des Moines, City of	Administrative Order	HC	Landa	Hearing continued. Settlement proposed.
6-06-90	Geneva Grain & Lumber, Inc.	Administrative Order	WM/SW	Kennedy	Order rescinded. Cleanup completed.
6-11-90	Troy Mills Dam Assoc.	Administrative Order	FP	Clark	Negotiating before filing.
6-14-90	Willow Tree Investments, Inc.	Administrative Order	UT	Landa	Negotiating before filing.
6-18-90	Sioux City, City of	NPDES Permit Cond.	WW	Hansen	Negotiating before filing.
6-18-90	Ames, City of	NPDES Permit Cond.	WW	Hansen	Briefs filed 2/1/91.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	Informal meeting to be scheduled.
6-26-90	Maple Crest Hotel and Mobile Home Park	Administrative Order	WS	Hansen	Negotiating settlement.
7-02-90	Keokuk Savings Bank and Trust Keokuk Coal Gas Site	Site Registry	HW	Landa	Hearing set for 4/11/91.
7-11-90	Chicago & Northwestern Co.; Steve L. Carroll; Susan E. Carroll; and Tracy A. Carroll	Administrative Order	NR	Kennedy	New orders issued 12/28/90 rescinding prior orders.
11-20-90		Administrative Order	SW	Kennedy	
7-23-90	IBP, Dakota City	Administrative Order	WW	Hansen	Informal meetings 1/8/91.
7-25-90	Thomas and Arlene Griffin	Water Use Permit	WR	Clark	Hearing held 11/28/90.
7-26-90	Plymouth County SW Agency	Administrative Order	SW	Kennedy	Negotiating before filing.
7-30-90	Key City Coal Gas Site; Murphy Trust & Howard Pixler	Site Registry	HW	Landa	Hearing continued.
8-01-90	J.I. Case Company	Site Registry	HW	Landa	Hearing continued.
8-06-90	Lake Manawa Nissan, Inc.	Administrative Order	UT	Landa	Compliance Initiated.
9-06-90	Wilbur Numelin d/b/a Lakeview Enterprises; Carl Hankenson	Administrative Order	UT	Landa	Hearing continued. Compliance Initiated.
9-10-90	IBP, Inc. Columbus Junction	Administrative Order NPDES Permit	WW	Hansen	Informal meeting 1/8/91. Hearing set for 3/14/91.

E91Feb-28

Environmental Protection Commission Minutes

February 1991

DEPARTMENT OF NATURAL RESOURCES
 ENVIRONMENTAL PROTECTION COMMISSION
 CONTESTED CASES
 FEBRUARY 1, 1991

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
9-12-90	Michael & Joyce Haws; George H. Gronau	Administrative Order	UT	Landa	Stipulations prepared.
9-20-90	Duane Schwarting	Variance Denial	SW	Kennedy	Hearing continued.
10-02-90	James Rhoads	Administrative Order	HC	Landa	Negotiating before filing.
10-04-90	Iowa Army Ammunition Plant	Open Burning Variance	AQ	Landa	Appeal withdrawn.
10-11-90	Commercial Equipment Co., Inc.	NPDES Permit Denial	WW	Landa	Hearing set for 3/5/91.
10-15-90	Westside General Store Corp.	Administrative Order	UT	Landa	Negotiating before filing.
10-17-90	Chicago & Northwestern Transportation Co.	NPDES Permit Conditions	WW	Landa	Settlement proposed.
10-18-90	Harlan Pruess	Claim	HC	Landa	Sent to DIA.
10-23-90	Chariton Municipal Water Department	Water Use Permit	WS	Clark	Discovery initiated.
10-29-90	Arcadian Corporation	NPDES Permit Conditions	WW	Hansen	Informal meeting held. Negotiating.
11-06-90	Vincent Martinez d/b/a Martinez Sewer Service	Administrative Order	HC	Landa	Negotiating before filing.
11-13-90	Lloyd Dunton	Administrative Order	SW	Kennedy	Negotiating before filing.
11-15-90	Springwood Enterprises, Inc.	Water Use Permit	WR	Clark	Negotiating before filing.
11-29-90	Natural Gas Pipeline of America	NPDES Permit Denial	WW	Hansen	Hearing set for 2/15/91.
12-04-90	United States Gypsum Company	Administrative Order	SW	Kennedy	Negotiating before filing.
12-07-90	Granville, City of	Administrative Order	WW	Murphy	Amended order issued 12/28/90.
12-10-90	ISU - Ames Laboratory Chemical Disposal Site	Site Registry	HC	Landa	Sent to DIA.
12-17-90	Crestwood Acres	Administrative Order	WS	Murphy	Amended order issued 12/28/90.
12-19-90	Aratex Services, Inc.	Site Registry	HC	Landa	Sent to DIA.
12-21-90	Des Moines, City of	Administrative Order	UT	Landa	Sent to DIA.
12-27-90	McAtee Tire Service, Inc.	Administrative Order	SW	Kennedy	Sent to DIA.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Administrative Order	SW	Kennedy	Negotiating before filing.
1-09-91	Iowa Southern Utilities	Administrative Order	HC	Landa	Sent to DIA.
1-11-91	Fansteel/Wellman Dynamics	Site Registry	HC	Landa	Negotiating before filing.
1-22-91	Richard Duncan	Administrative Order	SW/AQ	Kennedy	Negotiating before filing.
1-23-91	Stuckey's Pecan Shoppe #287	Administrative Order	WS	Clark	Negotiating before filing.
1-28-91	McDowell Dam #1	Administrative Order	FP	Clark	Negotiating before filing.

E91Feb-29

Mr. Stokes explained that a proposal or options to revisit the UST cleanup action levels, requested by the Commission last month, is not completed and will be presented next month.

Discussion followed regarding several items in the reports.

Chairperson Mohr asked if there is some way to speed up some of the referrals. She added that it is very upsetting when cases are referred and the Attorney General's Office does nothing. She stated that she would like to have the new liaison from the Attorney General's Office at the next meeting to answer questions.

Mr. Murphy stated that when representatives of the Attorney General's Office attend the EPC meetings they would like to know beforehand which cases the Commission is interested in discussing.

This was an informational item; no action was required.

NOTICE OF INTENDED ACTION--CHAPTER 66, AQUATIC PESTICIDE
PROHIBITED DISCHARGES

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be requested to approve the Notice of Intended Action for Chapter 66. The proposed rule, which adds a new section to the previously unused Chapter 66, prohibits the application of an aquatic pesticides into certain designated Iowa waters except by certified applicators receiving a permit from the department. This proposed rule is to implement 455B.186, recently modified by House File 2170. The rule presents the information needed to be submitted to the department to receive a permit, and considerations to be addressed prior to issuing a permit.

Public hearings are proposed for Spirit Lake, Clear Lake, Iowa City, and Des Moines.

(Rule is shown on the following 5 pages)

ENVIRONMENTAL PROTECTION COMMISSION [567]
Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173 and the 1990 Iowa Acts, Chapter 1167, the Environmental Protection Commission for the Department of Natural Resources gives Notice of Intended Action to amend Chapter 60, "Scope of Title-Definitions-Forms-Rules of Practice", and create a new Chapter 66, "Pesticide Application to Waters", Iowa Administrative Code.

The passage of House File 2170, 1990 Iowa Acts, Chapter 1167, section 1, subsection 2, amended the Iowa Code section 455B.186 Prohibited Actions, by adding paragraph 2. This amendment reads: "A pesticide shall not be applied to any water of this state which has been classified by the department as a class 'A' or class 'C', high quality, or high quality resource water, except that this section shall not be construed to prohibit the application of such a pesticide by a certified applicator who is trained in aquatic application and who has received a permit from the department".

These proposed rules are intended to implement House File 2170. Prior to any individual applying a pesticide to certain designated surface waters, they must receive a permit from the Department of Natural Resources and have an aquatic pesticide applicator's certification from the Department of Agriculture and Land Stewardship. The required information to receive a permit from the department is specified in the proposed rules along with criteria to be considered in issuing the permit.

Any interested person may submit written suggestions or comments on the proposed rule changes through April 22, 1991. Such written materials should be directed to Ralph Turkle, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand, Des Moines, Iowa 50319-0034, of FAX # (515)281-8895. Persons who have questions may contact Ralph Turkle at (515)281-7025. Persons are also invited to present oral or written comments at public hearings which will be held at 1:00 pm on April 9, 1991 in the Wallace State Office Building 5th Floor East Conference Room, 900 East Grand, Des Moines, Iowa, at 1:00 pm on April 10, 1991 in the Iowa City Public Library, 123 S. Linn St., Iowa City, Iowa, at 1:00 pm on April 11, 1991 in the City of Spirit Lake Public Library, 1801 Hill St., Spirit Lake, Iowa, and at 7:00 pm on April 11, 1991 in the City of Clear Lake Public Library, 200 N. 4th St., Clear Lake, Iowa.

These rules may have an impact upon small businesses.

Copies of these proposed rules may be obtained from Sarah Detmer, Records Center, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand, Des Moines, Iowa 50319-0034.

These rules are intended to implement Iowa Code chapter 455B.186, division III, part I.

ITEM 1. Insert the following into rule 60.2, Definitions, in alphabetical order:

"Aquatic Pesticide" means any pesticide, as defined in Iowa Code 206.2, that is labelled for application to surface water.

ITEM 2. Insert the following as a new Chapter 66:

567-66.1(445B) Aquatic Pesticide.

66.1(1) Prohibited Discharges. Aquatic pesticides shall not be applied to any water of the State designated in subrule (567) 61.3(5) as Class A, Class C, high quality, or high quality resource except as provided in 66.1(2).

66.1(2) Allowable Applications. Aquatic pesticides can be applied to any water of the State designated in subrule (567) 61.3(5) as Class A, Class C, high quality, or high quality resource provided the the applicator has a valid category 5 - aquatic pest control certification from the Department of Agriculture and Land Stewardship pursuant to 21 IAC 45.22"c", and has received a permit from the department in accordance with these rules.

66.1(3) Requirements to Obtain a Permit to Apply an Aquatic Pesticide. The following information shall be submitted to the department to obtain the necessary permit for application of an aquatic pesticide. The information must be submitted on department form number _____ entitled 'Aquatic Pesticide Application to Prohibited Waters - Permit Application Form'. The form is available from the department. The completed application form shall be filed with the department at least ninety (90) days prior to the anticipated period of aquatic pesticide application. The permit will be issued for the period of time requested in the application, but not to exceed one year.

a. The applicator's name, address, phone number, and the Department of Agriculture and Land Stewardship (DALS) certification number or a copy of the certificate; and

b. The purpose or objective of applying the aquatic pesticide; and

c. The name, exact location, and extent of the body of water where the pesticide or pesticides will be applied, the beginning period and frequency of application, and the rate of pesticide application; and

d. The brand name of the pesticide, the pesticide manufacturer, the Environmental Protection Agency registration number, and a listing and percentage by weight of the active ingredient to be applied; and

e. The name and location of known public and private water supplies within 2000 feet, and public and private wells within 50 feet of the application area; and

f. A sketch of the application area and important physical features within 2000 feet of the application area; and

g. The applicant's signature and date of filing the application form.

66.1(4) Basis for Permit Denial. A permit will be denied if any of the following conditions are found to be applicable.

a. Water quality data show a water quality standards violation for the aquatic pesticide, or its ingredients, within the same lake, wetland or reservoir as the requested area for pesticide application, or downstream of the requested area for pesticide application; or

b. Water quality testing by a public or private water supply or by the department has found quantifiable levels of the aquatic pesticide in its raw or finished water within the last four years. The testing would be applicable if conducted within the same lake, wetland or reservoir as the requested area for pesticide application or if conducted downstream of the requested area for pesticide application; or

c. The applicator does not possess a current Category - 5 aquatic pest control certificate from DALs; or

d. The requested application of aquatic pesticide is not following label instructions for use of the pesticide; or

e. The active or inactive ingredients in the aquatic pesticide are regulated under the Safe Drinking Water Act (SDWA); or

f. A public or private water supply intake is within 2000 feet of the requested area of the aquatic pesticide application in a lake, reservoir, or wetland, or the public or private water supply intake is within 50 feet upstream or 2000 feet downstream of the requested area of the aquatic pesticide application in a river or stream; or

g. A shallow well, as defined in subrule 40.2, is located within fifty (50) feet of the aquatic pesticide application area.

66.1(5) Special Considerations. The conditions for a permit denial, 66.1(4) "e", "f", and "g", may be waived and a permit issued when the permit is being requested by the impacted water purveyor to correct or control water quality problems within the water supply or system.

IOWA DEPARTMENT OF NATURAL RESOURCES

Aquatic Pesticide Application to Prohibited Waters PERMIT APPLICATION FORM

Applicant Name	Address
Area Code/Phone No.	Name of Receiving Water (lake, river, stream).
Department of Agriculture and Land Stewardship - Category - 5 (Aquatic Pest Control) Certification Number (or enclosed a copy of the Certificate).	
Purpose of Applying the Aquatic Pesticide. (Ex. To control submerged weed growth around dock)	
Brief Description of Location of Aquatic Pesticide Application (include address of frontage property). <i>Sec:</i> <i>Twp:</i> <i>Range:</i> <i>County:</i>	
Describe Area of Aquatic Pesticide Application (include sketch on side 2). (Ex: 50' along both sides of 200' boat dock and walkway located on the west side of Green Beach 80 feet south of Highway 1)	
1) Describe the Time Period: _____ (Ex. Beginning June 15 through September 15)	
2) Frequency of Aquatic Pesticide Application: _____ (Ex: Once every 30 days as needed.)	
3) Rate of Pesticide Application: _____	
1) Brand Name of Aquatic Pesticide: _____	
2) Manufacturer: _____	
3) EPA Pesticide Registration No: _____	
4) Listing & % by Weight of Active Ingredient: _____	
Name and Location of Known Public and Private Water Supply Intakes within 2000 feet of Application Area and wells within 50 feet (must be included in the sketch).	
Internal use only	
Permit No:	Date Issued:

For Sketch of Application Area

(Include important physical features within 2000 feet of application area)

I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature

Date

Mr. Stokes gave a detailed explanation of the rule.

Discussion followed regarding whether or not the application should request information on inert ingredients; whether the application processing period of 90 days is too lengthy; and if aquatic pesticide application can be made to a farm pond.

Chairperson Mohr noted that Dan Frieberg, Iowa Fertilizer and Chemical Association, had requested to comment on these rules but is not present to do so. Since the rules will go out to public hearing for comments the Commission decided to go ahead and take action.

Motion was made by Nancy Lee Siebenmann to approve Notice of Intended Action--Chapter 66, Aquatic Pesticide Prohibited Discharges. Seconded by Mike Earley. Motion carried unanimously.

William Ehm voiced concern that landowners around the lakes areas should be made aware that they cannot just go and spray around their dock anymore.

Mr. Stokes stated that would be done.

WATER QUALITY STANDARDS - USE DESIGNATIONS: PHASE III ECONOMIC ASSESSMENT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be requested to approve an economic assessment developed for the proposed Use Designations: Phase III which are associated with Chapter 61, Water Quality Standards. Currently on public notice are the Phase III rule revisions which would add new use designations to 165 stream segments in the Water Quality Standards, Chapter 61. As part of the rule development activity, staff developed the estimated economic impacts which refine the economic assessments developed for the March, 1990 Water Quality Standards revisions. The attached assessment addresses the potential impact to domestic and industrial wastewater treatment facilities affected by the 165 stream segments.

The summary of the estimated impact provided to the Commission last month indicated a reduction of costs of 1.9 million dollars from earlier estimates. The reduction in cost are estimated at 2.65 million dollars in the draft document due to improved cost estimates.

DRAFT

Water Quality Standards Revisions
Phase III - Stream Use Designation
Estimated Economic Impacts

Prepared by:
Environmental Protection Division

February, 1991

Iowa Department of Natural Resources
Larry J. Wilson, Director

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Water Quality Standards Revisions Phase III - Stream Use Designation

Summary of Estimated Economic Impacts and Benefits

The FFY89 Water Quality Standards Revisions, Estimated Economic Impacts and Benefits report prepared by the Department in January of 1990 projected a cost of 601.1 million dollars would be needed for construction or upgrading of 280 wastewater treatment facilities to meet the water quality standards as originally proposed. The cost was reduced to 490 million dollars by incorporating recommendations of a special committee established by the Commission (See Fact Sheet: The Affects of the Revisions to the Ammonia Implementation Procedures, February 19, 1990). This cost was based on the adoption of numerical standards, the assumption that all perennial streams would be designated as Class B(WW) Significant Resource, and implementation of the standards would occur as discussed in the Fact Sheet.

The Commission requested an estimate of the cost associated with the Phase III - Stream Use Designation proposed rules. The proposed rules will reduce the projected cost from those projected in the Fact Sheet by 2.65 million dollars.

Seventy-two wastewater treatment facilities discharge to the streams included in Phase III. Fourteen facilities discharge to the proposed B(WW) stream and 58 facilities discharge to B(LR) streams. Because the January 1990 report and Fact Sheet assumed that all perennial flow streams would be designated as B(WW), there is no increase in the projected costs for the 14 facilities. Four of the 58 facilities discharging to B(LR) streams will not require facility improvement. The fifty-four facilities that discharge to the B(LR) streams will have reduced construction costs of 2.65 million dollars. This reduction in costs is due to the less stringent treatment requirements associated with the B(LR) streams verses B(WW) streams.

- I. Introduction. This report is to provide the economic impact with the third round (referred to a Phase III) of rule making activities which add new use designation to Iowa's Water Quality Standards. Phase III includes stream segments for which staff have performed field assessments of the aquatic populations in each stream segment. Included in the Phase III proposed rules are 148 stream segments (1596 stream miles) which are to be designated as Class B(LR) Limited Resource and 17 segments (217 stream miles) to be designated as Class B(WW) Significant Resource. The Class B(LR) Limited Resource type of stream segment typically supports only a minnow fisheries population during low stream flow conditions, while the Class B(WW) Significant Resource type of stream segments typically supports both a minnow and sport fisheries population during low stream flow conditions.

The economic assessment for Phase III use designation activities followed the basic approach completed in the January 1990 report FFY89 Water Quality Standards Revisions, Estimated Economic Impacts and Benefits and the Fact Sheet: The Affects of the Revisions to the Ammonia Implementation Procedures, February 19, 1990, prepared by the Environmental Protection Division during the development of the major revisions of Iowa's Water Quality Standards (WQS). These FFY 89 to the Water Quality Standardsrevisions developed the new stream use designation categories for which the Phase III proposed rules are now identifying specific stream segments for each category.

The Phase III economic assessment calculated the estimated construction costs to each individual wastewater treatment facility on a Phase III stream which is potentially required to meet more stringent ammonia limitations.

- II. Findings for the Phase III Economic Assessment. As noted above, the Phase III economic assessment provided a projection of the construction costs for each individual wastewater treatment facility which is anticipated to be impacted by the Phase III stream segments. It is important to note that the FFY89 economic assessment did not look at each individual facility impacted by the new WQS, but rather evaluated a small subset of potentially affected facilities and then extrapolated the costs to all Iowa facilities. This Phase III assessment addressed each facility in Iowa affected by the 165 stream segments where adequate data are available.

The Phase III assessment also differed from the FFY89 assessment in that each stream segment's specific use designation was considered. In the FFY89 assessment all streams were assumed to be designated as Class B(WW) Significant Resource because specific stream evaluations

were not performed at that time. Thus, for the Phase III assessment, tentative permit limits were derived using the applicable Class B(WW) or Class B(LR) designation. It is important to note that the tentative permit limits calculated for this assessment are only draft and may change when all factors allowed for in the Water Quality Standards are applied to calculate the actual NPDES permit limits.

- A. **Selection of Impacted Wastewater Treatment Facilities.** All municipal and industrial wastewater treatment facilities noted as major or minor and discharging ammonia nitrogen which could impact the water quality of one of the 165 stream segments were considered. A facility was considered to be potentially impacted if: 1) it was a continuously discharging minor facility and within in one mile of the designated portion of the stream, or 2) it was a major facility discharging into drainage area of the designated stream segment. This criteria resulted in 72 facilities being identified as potentially impacted by the Phase III designations. Fourteen (14) facilities were on Class B(WW) streams and 58 facilities on Class B(LR) streams.
- B. **Calculation of Permit Limits and Projected Construction and Operational Costs.** To expedite the Phase III assessment, only existing data were used. Existing data for calculating permit limits were not adequate for all 72 facilities. Only 50 of the 72 facilities had adequate data. Therefore, extrapolation for cost was needed to project costs from the 50 facilities having individually calculated costs to the 72 facilities potentially impacted.

For the 14 facilities on the Class B(WW) streams, no change was projected in their construction or operational costs from the values projected in the FFY89 assessment. However, for the 58 facilities on the Class B(LR) streams, a change was projected in their construction and operational costs from the values projected in the FFY89 assessment.

A comparison of the FFY89 total construction costs to the Phase III total construction costs for all 72 facilities is shown in Table 1. An estimated savings of 2.65 million dollar in construction costs were calculated for the 58 facilities discharging to the recommended Class B(LR) streams. This savings results from the 148 stream segments being recommended for the Class B(LR) designation instead of the Class B(WW) designation assumed in the FFY89 assessment. Table 1 also notes an average facility's constructional costs.

TABLE 1
PROJECTED CONSTRUCTION COSTS FOR ROUND III

TYPE OF FACILITY	NUMBER OF FACILITIES	ORIGINALLY PROJECTION CONSTRUCTION COSTS	ROUND III CONSTRUCTION COSTS	AVERAGE CONSTRUCTION COSTS PER FACILITY
<1 MGD	36	75,786,000	75,228,000	2,090,000
1-10 MGD	12	70,905,000	70,123,000	5,840,000
>10 MGD	0	0	0	0
Aerated Lagoons	20	50,677,000	49,359,000	2,470,000
TOTALS:	68	197,368,000	194,719,000	2,860,000

TOTAL CONSTRUCTION COSTS FOR ROUND III, 194.7 MILLION DOLLARS.

THIS REPRESENTS A SAVINGS OF 2.65 MILLION DOLLARS FROM THE PROJECTED CONSTRUCTION COSTS FOR THE TOTAL 72 FACILITIES AFFECTED BY PHASE III.

Mr. Stokes gave an explanation of the economic assessment and asked the Commission's approval to publish same.

Motion was made by Nancy Lee Siebenmann to approve publishing of the Water Quality Standards - Use Designations: Phase III Economic Assessment in the Iowa Administrative Bulletin. Seconded by Mike Earley. Motion carried unanimously.

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Legal Services Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the Commissioners and are confidential pursuant to Iowa Code section 22.7(4).

Fred Carlson Co., Inc. (Decorah) - air quality
American Pellitizing Corp. (AMPEL) (Knoxville) - air quality
Nicklos Anderson/Far-Mor Feeder Pigs (Henry County) - water pollution
Bruening Rock Products, Inc. (Decorah) - water pollution/flood plain
City of Lenox, and Heartland Food Products - water pollution
Don Ervin (Otho) - solid waste
Roy Long (Knoxville) - solid waste/penalty.

Nikolas Anderson - Far-Mor Feeder Pigs

Mr. Murphy stated that this case involves a hog confinement facility discharging hog waste into a tributary of Crooked Creek. He noted that there were previous problems with this facility a year ago and they were issued an Administrative Order at that time to reduce any discharges, properly land apply the waste, and to avoid any further runoff. Mr. Murphy stated that staff investigated a complaint on November 17, 1990 and again documented runoff of waste through some waterways into the creek. He related there was a small fishkill at that time. Staff feels referral is warranted since there was a prior incident with an Administrative Order.

APPOINTMENT - DONALD REDFERN

Donald Redfern, Counsel for Nickolas Anderson, provided background on Nikolas Anderson and ownership of his property. He gave an overview of Mr. Anderson's management practices going from spray, to no-till, to the injection system in order to improve it so there would be no runoff. Mr. Redfern added that Mr. Anderson is now trying to get approval on the injection system from the Conservation Service in Henry County. He is having to buy equipment and would like to be able to work with DNR and the Conservation Service and would like to avoid any fines.

A brief discussion followed.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Mike Earley. Motion carried unanimously.

DAN FRIEBERG - ITEM #7 COMMENT

Chairperson Mohr noted that Dan Frieberg is now present and asked if he would like to comment on the Aquatic Pesticide Prohibited Discharge rules.

DAN FRIEBERG

Dan Frieberg, Iowa Fertilizer and Chemical Association, addressed the Commission stating that his Association supported HF 2170 which was the bill that led to this rulemaking. He related HF 2170 came about because homeowners in Lake Okoboji and Spirit Lake were applying 2,4-D in those reservoirs. Mr. Frieberg stated that his general concern is with the condition stated in 66.1(4)(b) in that it could tie the department's hands for not allowing proper use of labeled products in municipal water supplies. He added that it goes beyond what the department wants it to do because it could eliminate the option of using legally labeled, properly identified products in certain cases. Mr. Frieberg suggested that if this section is retained in the rule that it be moved to section 66.1(5) so that the commissioner would have the right to waive that as one of the denials. Mr. Frieberg stated that he feels Section E is almost inverse in that the pesticides regulated under the the Safe Drinking Water Act (SDWA) are the ones we know about. The ones that are not regulated by the SDWA are the ones for which there are no drinking water quality standards and people are shooting in the dark as to what the appropriate level is.

REFERRALS TO THE ATTORNEY GENERAL (Continued)Don Ervin

Mr. Murphy stated that the Commission has been updated monthly since this case was brought before them for referral in September. He noted that in addition to the information previously provided, he has included a copy of the most recent inspection report showing what was still left undone. He related that staff is renewing their request that this matter be referred to the Attorney General for ongoing violations.

Clark Yeager asked the timetable for the rules on tire storage and disposal.

Mr. Murphy stated that those rules will probably be back before the Commission in April and would then become effective on June 19.

APPOINTMENT - JOE COLEMAN

Joe Coleman, counsel for Don Ervin, stated that when he addressed the Commission in November he indicated that he and Mr. Ervin would be doing everything they could to keep in compliance. He asked the Commission not to refer this until the new rules for

tire disposal go into effect. He added that during the interim period compliance has been on an ongoing basis. Mr. Coleman stated that the complaints in the inspection report were that two strands of barb wire are not covering the woven wire fence, a sign has not been posted with the permit number on it, and the windrows were to be narrowed. He related that they have the sign and the only thing that needs to be added to it is the permit number; also, windrows were originally set up to be in compliance and then a plan was entered into to narrow down the windrows, and that was ongoing. Mr. Coleman noted that these are passive problems and progress has been made. He asked that it not go into litigation.

Discussion followed regarding the fence.

Motion was made by Richard Hartsuck for referral to the Attorney General's Office. Seconded by Mike Earley.

Clark Yeager stated that he had a friend who was involved in cleaning up an underground storage tank when there were no departmental rules in effect and he spent lots of dollars that no one would have to spend now. He related that he would have to vote against referral at this time.

Director Wilson asked Commissioner Yeager what is to be gained by delaying referral until new rules are in place.

Commissiner Yeager stated that he hates to impose referral to the A.G. on Mr. Ervin at this time when the department is in the process of developing rules that will govern all tire storage and disposal in the state.

William Ehm asked if there are adequate changes in the proposed rules that would affect how the Commission would deal with this.

Mr. Stokes commented that the proposed rules would be more specific and therefore possibly more restrictive than those currently being applied.

Mr. Murphy stated that the department is using existing solid waste rules to govern this case and they point out the same conditions that apply to others.

Richard Hartsuck stated that the Commission has shown extraordinary leniency in this case. He added that the Commission has extended deadlines as requested several times and Mr. Ervin still failed to meet them. Commissioner Hartsuck pointed out that in most cases that come before the Commission for referral they are disposed of immediately and occasionally one is given an extended deadline, but in this case it has been done every other meeting. He related that he does not understand the purpose of that and it lacks equity in the way the Commission treats other people.

William Ehm commented that he feels the Commission has been more than lenient and he would vote for referral.

Discussion followed regarding what type of facilities in the area of salvage are under the jurisdiction of DNR and what is regulated by DOT.

Chairperson Mohr requested a roll call vote on Richard Hartsuck's motion for referral. "Aye" vote was cast by Commissioners Siebenmann, Earley, Ehm, and Hartsuck. "Nay" vote was cast by Commissioners Yeager and Mohr. Motion failed on a vote of 4-Aye to 2-Nay lacking a consensus of a majority of the Commission.

Director Wilson inquired as to whether Commissioner Yeager is requesting a delay until April with the new rules when it has been explained that it will not provide any greater degree of flexibility, or is he asking for additional time to get the eight conditions into order.

Clark Yeager responded that he doesn't acknowledge that there is a request. He added that he has a hard time referring anybody when the department is in the process of working on rules. He related that he does not see tires being as big a problem to the environment that everybody else does.

Brief discussion followed.

Director Wilson commented that he absolutely cannot believe the action taken by the Commission.

Mike Earley echoed Director Wilson's comment and added that he is embarrassed and ashamed by this action.

Bruening Rock Products, Inc.

Mr. Murphy stated that referral is being sought due to violations of the water pollution control permit for this facility and he expanded on same. He noted that they dammed up the creek for a short period in order to obtain a water source for their sand washing operation. Staff feels referral is warranted since the department has been through the process of dealing with a similar situation once before and issued an Administrative Order.

APPOINTMENT - KEITH BRUENING

Keith Bruening, owner of Bruening Rock Products, distributed a letter outlining the following points: 1) the Elma water sample showed an analysis well within the limits of their permits; 2) the company was contacted by DNR on November 9, 1990 and by November 10 had converted the sand washing activities into a complete loop so no water was entering the waterway; 3) the four

or five day allegations were based upon a report and not a visual inspection by DNR; 4) as requested by DNR, clean water was pumped from the quarry into Mead Creek to flush it - the dewatering of the quarry gave rise to the 1985 violation; and 5) paragraph three of the investigation report states that it was reported to the DNR that a problem still existed at the quarry - this was not based upon a visual observation because by Saturday, November 10 there no longer was a discharge into the creek from the Bruening operation. In conclusion, Mr. Bruening stated that it is his position that his company responded promptly to its first contact from the DNR and immediately constructed a loop so that no water was draining into Mead Creek and then fully cooperated in flushing the creek with water from the rock quarry. He added that the initial runoff into Mead Creek was accidental and not intentional.

Brief discussion followed.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Mike Earley.

Chairperson Mohr requested a roll call vote. "Aye" vote was cast by Commissioners Yeager, Earley, Ehm, Siebenmann, and Mohr. "Nay" vote was cast by Commissioner Hartsuck. Motion carried on a vote of 5-Aye to 1-Nay.

NOTICE OF INTENDED ACTION--CHAPTER 102, LANDFILL OPERATOR
CERTIFICATION RULES AMENDMENT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve a Notice of Intended Action to solicit public comment on amendments to state rules for certified operators of sanitary landfills and solid waste incinerators. The proposed amendments would authorize the issuance of a "temporary operator certification" for a period of up to six months. The purpose of this temporary certification would be to provide for the replacement of existing certified operators with new personnel, and allowing a reasonable time for those new personnel to become fully certified in accordance with regulations.

If approved by the Commission, the department would propose to conduct one public hearing to receive public comment on this proposal. Written comments would also be accepted.

Environmental Protection Commission (567)
Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.304, the Environmental Protection Commission hereby gives Notice of Intended Action to amend chapter 102, "Permits", to specify a procedure to be used in the case when an already existing certified operator is no longer available to a sanitary landfill or solid waste incinerator.

Written Comments may be directed to Gayle Farrell, 900 East Grand, Des Moines, Iowa 50319, FAX number 515/281-8895 through April 20, 1991. Interested individuals may provide oral comments at a public hearing to be held in Des Moines, at the Wallace Building, Conference Room on 5E, 10:00 a.m., April 9, 1991.

These amendments may impact small business.

The following amendments are proposed:

Item 1. Add subrule 102.13(12) as follows: A temporary operator of a sanitary landfill or solid waste incinerator may be designated for a period of six months, when an existing certified operator is no longer available to the facility. The facility must make application to the department, explain why a temporary certification is needed, identify who the temporary operator will be, and identify the efforts which will be made to obtain a certified operator.

These rules are intended to implement 455B.304 Code of Iowa

Mr. Stokes gave a brief explanation of the rules.

Mike Earley asked if staff could incorporate into the rules a limit of one six-month extension to be granted.

Nancylee Siebenmann suggested that language be included to state what would create revocation of certification or removal from the operation.

Mr. Stokes indicated that language will be added stating that not more than one six-month extension will be granted (except in unusual circumstances) and that temporary authorization may be rescinded.

Motion was made by William Ehm to approve Notice of Intended Action-Chapter 102, Landfill Operator Certification Rules with the suggested changes. Seconded by Nancylee Siebenmann. Motion carried unanimously.

REFERRALS TO THE ATTORNEY GENERAL (Continued)

Fred Carlson Co., Inc.

Mike Earley stated that he will abstain from discussion and voting in this case due to a conflict of interest.

Mr. Murphy stated that staff recently met with representatives of the company and they expressed an interest in resolving the matter. He reviewed the history of this case and related that referral is needed to work out a formal consent decree.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Nancy Lee Siebenmann. Motion carried unanimously with the exception of Mike Earley abstaining.

American Pelletizing Corporation (AMPEL)

Mr. Murphy briefed the Commission on the history of this case and noted that staff recently talked with company representatives and they are willing to work out an agreement. He added that referral is needed in order to work out a formal consent decree.

Motion was made by Mike Earley for referral to the Attorney General's Office. Seconded by Richard Hartsuck. Motion carried unanimously.

City of Lenox, and Heartland Food Products

Mr. Murphy briefed the Commission on the history of this case and related that they have expressed interest in working out an appropriate settlement. He added that staff would like to put them under a tight operating regime to avoid future violations and therefore recommend referral.

Motion was made by Richard Hartsuck for referral to the Attorney General's Office. Seconded by Mike Earley. Motion carried unanimously.

Roy Long

Mr. Murphy stated that this case involves open dumping and he reviewed the history of the case. He added that field staff inspected this facility after the agenda was prepared and Mr. Long had the site cleaned up, therefore staff will withdraw the referral at this time.

GENERAL DISCUSSION ITEMS

Discussion took place on the status of the Harlan Pruess case and claims against USDA; LeClaire oil spill status; possible rule changes regarding UST remediation action levels; variances on time for cleaning up tire piles; and various tire stockpiles around the state.

Nancylee Siebenmann asked if the Commission could make a motion for limit of time Mr. Ervin's case can go on, and if it can possibly be referred again at a later date.

Richard Hartsuck commented that the action taken this morning gives Mr. Ervin a license to do whatever he wishes until such time as new regulations have gone through the public comment route.

Nancylee Siebenmann stated that rather than abandon the situation she would recommend that staff take another look at where Mr. Ervin is when the new rules go into effect.

William Ehm commented that the best the Commission can do is ask staff to let the Commission know in several months what is happening at Mr. Ervin's facility.

CHEEC

Nancylee Siebenmann reported on a seminar which was held by CHEEC last week and another to be held next Thursday entitled "Pollution Prevention in Business."

WASTE REDUCTION ASSISTANCE PROGRAM

Teresa Hay showed a film clip which was on Channel 5 (WOI-TV) on the Waste Reduction Assistance Program administered by her division.

NEXT MEETING DATES

March 18-19, 1991
April 15-16, 1991
May 20-21, 1991

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson Mohr adjourned the meeting at 2:30 p.m., Monday, February 18, 1991.


Larry J. Wilson, Director


Charlotte Mohr, Chairperson


Nancy Lee Siebenmann, Secretary

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